ACTS

DONE AND PAST IN
THE SIXTH SESSION
OF THE FIRST TRIENNIAL
PARLIAMENT
OF OUR
SOVERAIGNE LORD
CHARLES,

By the grace of GOD, King of
Scotland, England, France and *Ireland*,
Defender of the Faith.

Holden at EDINBURGH; Beginning the third of November 1646. and ending the twenty seventh of March 1647.

EDINBURGH,
Printed by *Evan Tyler*, Printer to the Kings most excellent Majesty. *Anno* 1647.

ACTS

DONE AND PAST IN THE Sixth Seſsion of the firſt Triennial Parliament:

Holden at EDINBURGH, beginning the third of November 1646. and ending the 27. of March, 1647.

ACT I.

Act anent Quarterings, and payment of Officers and Souldiers in their Quarterings.

19. November, 1646.

THE Eſtates of Parliament now conveened in this Sixth Seſſion of the firſt Trienniall Parliament, by vertue of the laſt Act of the laſt Parliament, holden by His Majeſty and three Eſtates, in *Anno* 1641. Taking to their conſideration the great abuſes committed by Officers and Souldiers, in their unorderly Quartering through the Countrey, And the heavy burden lying upon His Majeſties good Subjects, And being reſolved to apply their authority for [re]ſſe of theſe diſorders, and protection of the Lieges; Do therefore [e]nact, Ordain, and Enact, That in time coming after the twenty ſixth [o]f November inſtant, All Officers and Souldiers have their pay de[li]vered to them at the end of every 14 dayes (or ſooner if they remove) [o]ut of the Shire in which they and their Regiments are Quartered, accor[di]ng to the eſtabliſhment hereafter ſubjoyned. And that the ſaids Offi[ce]rs ſhall pay ready money for whatſoever they take up for themſelves, [th]eir Horſe and Servants, at the ordinary rates of theſe places where [th]ey are Quartered, without extortion. And alſo that when they receive [th]eir payment ilk fourteen dayes, at the receipt of their pay, they bring [w]ith them, and exhibite certificates and diſcharges of the true payment

made by them of all their furniſhing and expences from theſe perſons where they have lived, or from the Commiſſioners of Pariſhes or Magiſtrates of Burrowes where they have been Quartered. Here followeth the eſtabliſhment for the Officers for their daily pay in their Quarters, *viz.* A Colonel to Horſe 7 l. 4 s. Scots money *per diem*. A Lieutenant Colonell to Horſe daily 3 l. 12 s. A Major to Horſe daily 48 s. A Regiment Quarter-Maſter to Horſe daily 30 s. A Chirurgion to Horſe where there is ane daily 20 s. Each Root-Maſter daily 3 l. 6 s. 8 d. Each Lieutenant daily 30 s. Each Cornet daily 24 s. Each Quarter-Maſter daily 20 s. Each Corporal, being three allowed to each Troop daily 16 s. Each Trumpeter daily 13 s. 4 d. And to each Trooper daily half a peck of Oates, ſix ſheaves of Straw, and 6 s. 8 d. in Money: Or otherwiſe 12 s. in Money, in the option of the perſons where they are Quartered.

Item, For a Foot Regiment, The Colonell to Foot to have daily 4 l. 16 s. A Liutenant Colonel to Foot daily 48 s. A Major to Foot daily 32 s. Regiment Quarter-Maſter daily 20 s. Chirurgion, where there is ane daily 20 s. Drummer Major daily 8 s. Regiment Scriber daily 13 s. 4 d. Proveſt Marſhall daily 8 s. Each often Captains daily 44 s. 5 d. Each often Lieutenants daily 20 s. Each of ten Enſignes daily 16 s. Each of twenty Serjeants daily 6 s. 8 d. Each of thirty Corporals daily 5 s. 9 d. Each of ten Captains at Arms daily 6 s. 8 d. Each of 19 Drummers daily 5 s. 4 d. Each Foot Souldier allowance in Meal & Quarters, or 4 s. daily, in the option of the perſons where they are Quartered.

Item, For a Regiment of Dragooners, The Colonel of Dragooners daily 6 l. Lieutenant Colonel to the Dragooners daily 3 l. Major to the Dragooners daily 40 s. Quarter-Maſter daily 25 s. Chirurgion, if there bee ane daily 20 s. A Captain of Dragooners daily 45 s. A Lieutenant to Dragooners daily 25 s. An Enſigne to the Dragooners daily 20 s. Each Serjeant to the Dragooners daily 11 s. 4 d. Each Corporal of Dragooners daily 10 s. Each Drummer daily 10 s. Each Souldier of Dragooners to have daily 9 s. or elſe ſix ſheaves Straw, ane fourth part Oates, and 5 s. money, in the option of the perſons upon whom they are Quartered.

And it is Statute and Ordained, That the Troopers and Souldiers of Foot be equally Quartered through the Shires by the reſpective Committees thereof, And that upon no pretence whatſoever any exemption be allowed to any perſon, but by Warrant of Parliament or their Committee, except for lands burnt, waſted, or poſſeſſed by the Enemy: For it is declared hereby, that ſuch Lands or Burghs as ſhal be found by the Committee of Eſtates of Parliament, or Commiſſioners appointed by them for that effect, to be ſtill poſſeſſed by the enemy, or to have been burnt or waſted by the enemy, our own Forces, or the Plague, ſo that the Heritors thereof are diſabled therethrough to bear any publick burdens, Shal be free *pro tanto* of any pay, or giving of Quarters to Officers or Souldiers, unleſſe in caſe of neceſſity for the good of the Service which is remitted to the Commander in chief where theſe Forces are

And the Forces being thus proportionably Quartered in the Shires to Burgh and Land equally, conform to their valuation and Maintenance, It is ordained, That no Shire nor Burgh pay any Quarters to any common Souldiers Horse or Foot, but such as are actually and locally Quartered within the bounds, and that none of these common Souldiers, Horse or Foot, be payed when they are personally absent from their Quarters. And it is declared, That the whole premitted Articles are to be understood of the Winter Quarters allowed to the Officers and Souldiers for their residence and Maintenance, conform as they are severally divided and appointed through the whole Kingdom, and no wayes to be understood of passing or transient Quartering, nor extended to the Shires where the body of Forces shall be commanded for the prosecution of the War, so that no Shire shall be burdened above their proportion; but that the Estates of Parliament in their particular Act for Maintenance and entertainment of the Forces, shal set down the way of relief of the Shires of *Aberdene*, *Bamff*, and *Murray* presently, and generally of all Shires which may happen hereafter to be over-burdened in the prosecution of the War.

As likewise it is Ordained, that in passing Quarters, the Officers and Souldiers shall be equally and proportionably Quartered in the Parish by the advice of the Commissioners thereof: So that the Officers shal not over-burden any person or place at their pleasure. In which case of transient Quarters, It is appointed that the Quarter-Master or Commander of the party, shal deliver to the Commissioner of the Parish, or one of the chief Heritors resident therein, or their Baillies, Officers or Chamberlains, or Magistrates within Burgh, the names of all the Souldiers to be Quartered in that Parish or Burgh, in a Roll subscribed with his hand. And declares, that in these Parishes either in Burgh or Land, Quartered upon in these transient Quarters, shall have their proportionall relief of the remanent Shire. And it is also declared, that the houses of Heritors and Liferenters shall be free of Quartering, they furnishing Quarters upon their own Tennants, or in Inns upon their own bounds. And also that such Royall Burghs, where there is Garrisons of Foot, be free of the locall Quartering of Horsemen, They alwayes paying their proportion with the Shire according to their valuation and Maintenance.

And farther it is hereby Ordained, That the Officers of the severall Regiments within the Kingdome, and all the Souldiers thereof shal repair to their charges and Quarters within six dayes after the publication hereof at the Market Crosse of the head Burgh of every Shire (and for Perth Shire, Ordaines the publication to be at the Market Crosse of *Abernethy*) And not to remove from their severall Quarters and attendance of their charges, without ane forloff and licence from the Generall Major, Parliament, or their Committee to the Colonell, and from the Colonell to all inferiour Officers under him (they alwayes leaving sufficient Officers to attend the charge) under the pain of casheiring and losse of their Arrears. And likewise, The Estates of Parliament, Ordains and commands the Committees of War in the severall Shires

of

of this Kingdome (who are hereby continued in their conſtant places, untill the Parliament give new order thereanent) To bee aſſiſting to ſee this Act punctually obſerved in the whole Heads thereof. And for that end that they ſend in weekly to their Commiſſioners, during the ſitting of the Parliament, ane accompt of each Troope and Company, with the Officers and Souldiers names, according as they are Quartered within their bounds, and of the obedience given herein by the Officers. And for that effect, That they call upon the Commiſſioners of Pariſhes, to give in to them upon oath, ane accompt of the number locally Quartered in each Pariſh, and of the cariage of Officers and Souldiers Quartered upon them : With this certification, that where the Commiſſioners of the Pariſhes ſends not ſuch ane accompt, it ſhall be reputed and holden that there is none Quartered upon their Pariſh, nor any diſorders committed therein.

And likewiſe it is Ordained, That it ſhall not be lawful to the Officers or Souldiers to Horſe or Foot, upon the not timous advancement to them of the pay above-written, to ſend out parties for up-lifting the ſame at their own hand, untill firſt it be repreſented by them to the Committee of the Shire, or Magiſtrate within Burgh, That they may give warrand for the ſame. And appoints the Committees of Shires to meet every fourteen dayes for that effect.

And the Eſtates hes hereby declared, that no allowance, maintenance or Quarters is to bee given to any Officers or Souldiers for the tenth man, or the Pedieſe or Boys and Horſe, But totally and abſolutely diſcharges the ſame in all time coming.

And laſt it is hereby declared, That if any of the Subjects of this Kingdom be injured in body and goods by any Souldiers within the ſame, that the party wronged make his complaint to the ſaid Souldiers Officer, and upon his refuſall or delay to redreſſe the wrong, That the party addreſſe himſelf to the Colonel, Lieutenant Colonel, or Major of the Regiment, if they be within the Shire for the time, and make known his complaint to them, upon whoſe abſence, or neglect, or delay of juſtice, the parties wronged are to mean themſelves to the Committee of Warre in the Shire, or within Burgh to the Magiſtrates thereof; By whom the ſame is to be repreſented to the Parliament or Committee of Eſtates, that they may give orders thereanent for puniſhing the ſaid offenders, and alſo the Officers for their neglect. And ordains the Lord Regiſter to cauſe preſently Print this Act.

ACT II.

Act of approbation to the Committee of Estates, anent the taking off of the Rebels.

27. *November*, 1646.

THe Estates of Parliament having heard and considered that report from the Committee appointed for revising of the Acts of the Committee of Estates, anent their carriage and proceedings in bringing off of the Rebels, and reducing them to dutifull obedience from their former Rebellion: and having at length after full debate considered the famine, with the reasons and grounds of their procedor thereanent, expreſt in the Paper given in by the said Committee of Estates, bearing their haill proceedings in the foresaid particular, with the grounds and reasons thereof, They finde that the said Committee of Estates hes warrandably, carefully, faithfully, wisely, and diligently behaved themselves thereintill, answerable to the trust and warrand granted and committed to them, and that their carriage therein deserves publick thanks and approbation. And therefore the Estates of Parliament do hereby Ratifie and approve the same as well and warrandable done for the good and peace of the Kingdome, and gives them publick thanks.

ACT III.

Act anent Liferenters, that they pay publick Dues, and bear publick Burdens.

10. *Decemb.* 1646.

THe Estates of Parliament now presently conveened in the sixth Session of this first Triennial Parliament, by vertue of the last Act of the last Parliament holden by his Majesty and Estates of Parliament in *Anno* 1641. Taking to their consideration, That the payment of Taxt, Loane, Monethly Maintenance of the Army, [illegible]-porting of Horse and Foot, and other publick Impositions hes been [illegible]arded and hindred heretofore, and may be hereafter in severall Shires [illegible]this Kingdome, upon this doubt and Quære, *viz.* Whether or not [illegible]erenters who are infeft in ane yearly annualrent of money out of [illegible]nds for their lifetime, Or who hes disponed the Right of their life-

rent

rent Infeftment whereby they were infeft in Land for their lifetime for ane obliegement of new infeftment of liferent in ane annualrent of money out of lands in contentation of their conjunctfie, or who hes ſet their liferent lands for ane back tak duety, hes been, are, and are to be lyable To the out-reik of Horſe according to their proportion of rent, To the payment of Taxt, Loane, and monethly Maintenance, and to all other publick Impoſitions and Burdens, whereunto Lady liferenters that are in poſſeſſion of lands are oblieged unto. The Eſtates of Parliament for clearing hereof, findes and declares, That it was alwayes their meaning and will, and of the Convention of Eſtates, That all perſons and ſubjects of this Kingdome, ſhould be lyable to their proportionable part of all publick Burdens impoſed for proſecuting the ends of the Covenant, and that no exemption was given to any whatſomever, but for lands, rents, annualrents, and other duties mortified to Colledges, Schooles, Hoſpitals, Miniſters and Readers ſtipends, and for upholding of Kirks and Bridges: And in particular findes and declares, it was and is their meaning and will, and was the minde of the Convention of Eſtates, That all Liferenters who are infeft in ane yearly annualrent of Money out of lands for their lifetime, Or who hes diſponed the right of their liferent Infeftment whereby they were infeft in lands for their lifetime for ane obliegement of new infeftment of liferent in ane annualrent of Money out of lands in contentation of their Conjunctfie, although they be not actually infeft thereupon, or who hes ſet their liferent lands for ane back tak dutie, hes been for all times bypaſt, are, and are to be for all times coming, lyable to the out-reik of Horſe, according to their proportion of rent, To the payment of Taxt and Loane, and monethly Maintenance of the Army, and to all other publick Impoſitions and Burdens whereunto Ladyes liferenters that are in poſſeſſion of lands are oblieged unto; And that notwithſtanding of any clauſe of warrandice mentioned or contained in their ſecurities of their ſaids annualrents, except the ſaid clauſe of warrandiſe ſpecifie *per expreſſum*, To warrand from Taxt, Loane, Monethly Maintenance, and out-reik of Horſe, Because it were againſt all reaſon and equity, and beyond the meaning of parties contractours in theſe ſecurities, To obliege them to warrand their Rights from unexpected publick Burdens impoſed ſince the making and granting of the ſaids Rights and Securities; ſeeing it is juſt and reaſonable, That ilk ane of the Lieges who hes Rent within this Kingdome, ſhould bear their proportionable part of the publick Burdens of this Kingdome, conforme to the proportion of their Rents. It is alwayes declared, That this Act ſhall no wayes be extended to Improven Wadſetts.

ACT

ACT IV.

Act anent allowing of Quarters.

1. *January* 1647.

THe Estates of Parliament now conveened in this Sixth session of the first triennial Parliament, for clearing of any doubt or question that may be made in the allowing of Quarterings in paiment of the monethly Maintenance, alswell Quarterings since Lambmes last 1646. yeares, as before that time; Findes, Declares, Statutes and Ordaines, That Quarterings alswell since Lambmes last, as before Lambmes, shall be allowed in payment of the Monethly Maintenance, except onely for these first three Moneths Maintenance following, *viz.* March 1645. which is the first Moneth of the six Moneths Maintenance granted by the Parliament at *Edinburgh* in February 1645. *Item*, September 1645. which is the first of the three Moneths Maintenance granted by the Parliament at *Perth* in August 1645. And the moneth of December 1645. which is the first of the eight Moneths Maintenance granted by the Parliament at *S. Andrewes* in January 1646. Which three Moneths above designed, were ordained to have beene payed without allowing of any Quarterings in the payment thereof, and which three Moneths are now ordained by the Parliament to be uplifted and intromett with by Sir *Adam Hepburne* of Humbie, so farre as the famine are unpayed or unassigned, in payment to him of his superexpences of his Scots accompts, so far as the famine will extend to, conforme to the Act granted in his favours hereanent of the date hereof.

ACT V.

Act anent Recording of Losses.

2. *January* 1647.

THe Paper under-written, whereof the tenour followes: The Committee appointed by the Parliament for considering of the particular Losses recommended to them, do humbly represent to the Parliament, That whilst they were about the discharge of what was committed to them, there occurred ane particular which they conceive very prejudiciall to the Subjects, and no wayes usefull or necessary either to the Publick or to the parties interest, *viz.* When Commissions are given out for trying of Losses, The Reports of the tryalls are appointed to be registrate: Some whereof as they are drawne in particulars by these who are Commissioners for the tryall, will take the writing of five or six score sheets of Paper; of which sort, one

was before them this day; And it is hard to put the party ſufferer to the trouble of Regiſtrating of ſo long Reports: And therefore it is the opinion of the Committee, That the Parliament would appoint, That only ane Abridgement of theſe Reports be recorded, containing the parties names who are ſufferers, and the *ſumma* of their Loſſes and ſufferings: And the principall Report to be given back, marked to the party: And that the Parliament would either themſelves, or warrand this Committee to ſet down a price to be payed for this Regiſtration; as is done in Compriſings: Being publickly read in audience of the Eſtates of Parliament, and the ſamine being adviſed and conſidered by the Eſtates of Parliament, They agree to the opinion above-written of the foreſaid Committee. And enacts, ordaines and appoints, That there ſhall be onely ane Abridgement of the foreſaids Reports recorded, which ſhall containe the parties names who are ſufferers, and the *ſumma* of their Loſſes and ſufferings; And Ordaines the principall Report to be given back to the party marked, recorded *ut ſupra*. And alſe, The Eſtates of Parliament, Gives hereby warrand to the foreſaid Committee, To ſet down a price to be payed for the foreſaid Recording of the ſaids Reports, as is done in Compriſings.

ACT VI.

Act anent thoſe that are, or ſhall be reſtored againſt their Forfaltours.

12. *January* 1647.

THE Eſtates of Parliament, Taking to their conſidera on, That there are ſundry Noblemen and others, w have been forfaulted in the preceeding Seſſions of t Parliament, for taking up Armes againſt this Co trey or Cauſe in hand, who are now ſeeking to be ſtored and reponed againſt theſe Forefaultours. T ſaids Eſtates findes and declares, That notwithſtanding of the reſto and reponing of them, or any of them againſt the ſaids Forfaltours, it ſhall nowayes be leſome to them, or any of them, to repaire to Parliament, and have place or voyce thereintill, without ſpeciall lic or warrand from the Parliament for admitting them thereunto.

ACT V

ACT VII.

Ratification of the Commission for changing Waird Haldings holden by the Kings Majestie.

14. *January*, 1647.

THe Estates of Parliament now conveened in this sixt Session of the first Triennial Parliament, having seen and considered ane Signatour or Commission granted by his Majesty to the L. Thesaurer principal, Thesaurer Depute, & remanent Commissioners of Exchequer therin expressed, giving power to them to compone and agree with all his Majesties vassals who holds their Lands by Ward & Relief, or Few with the marriage, for sik summes of Money as they shall think reasonable of syne and composition, alswel for alteration of their saids Tenours of Ward to Few-ferm, as for what yearly canon or Few-duty should be payed hereafter in all time-coming to his Majesty and his Successours in Exchequer for ever Chalder of victuall of money rent thereof; As likewise to compone, transact and agree anent what augmentation of yearly Few-duty should be made for quiting of the mariage of all the said Vassals who holds few with the mariage, Bearing date at Newcastle the twenty ninth day of June 1646. Hath Ratified and approven, and by the tenour hereof Ratifies and approves the foresaid Commission in all the Heads and Articles of the samine, and declares the Rights and Securities hereafter to bee made and granted of any Lands by the said Thesaurer, Thesaurer Depute, (and *Quorum* expreſt in the said Commission) changing and alloging them from Waird to Few, or aboliſhing the mariage in few charters for a greater few-duty, shall be valide, good, and sufficient charters and securities to the receivers, and never be quarrelled in judgement nor therwith to them nor their posterity. And declares, that the generalitie heirof shalbe als sufficient to all persons who shall hereafter agree with the Thesaurer anent any sik Lands, as if every ane of the saids Charters were particularly ratified and confirmed in Parliament. And the Estates of Parliament adds Sir *Archibald Johnstoun* of Warristoun his Majesties Advocate and ane of the Lords of Session, To be ane of the number of the Commissioners in the foresaid Commission and *Quorum* therein expreſt, and holds him hereby as insert thereintill: And ordaines this present Act to be publiſhed at all places needfull with all diligence.

ACT VIII,

Act anent the payment of the dutie for the Light of the Maye.

14 *January*, 1647.

FOrſameikle as the Eſtates of Parliament now conveened in this ſixt Seſſion of the firſt Triennial Parliament, Taking to their conſideration, That *James Maxwel* of Innerweik, and *John Cunninghame* of Barnes, Having procured from his Majeſty under the great Seale, ane power of erecting ane Light upon the Maye; And for maintenance thereof ane impoſt and duetie of twa ſhillings Scots to be payed upon the Tun of all Ships and Veſſels coming within Dunnottir and Sainct Tobs head, by Natives, And foure ſhillings Scots to be payed by Strangers, as their Giſt and Letters Patent at mair length beares. And herewith alſo conſidering, That the ſaids Patentars being willing to give all reaſonable ſatisfaction to the Commiſſioners of Burrowes hereanent, they have reſtricted their ſaid Patent and duety foreſaid therein mentioned, To eighteen pennies Scots to be payed by the Natives, and three ſhillings Scots by Strangers upon ilk Tun, of Ships and others coming within the foreſaids bounds. And hes declared all Barks, Creeres, and others Veſſels coming from any part within this Kingdome within the ſaids bounds, or paſſing to any part within the ſamine, during the moneths of May, June, July, and fifteen dayes of Auguſt, and Northland Victuallers to be free of all duety whatſomever, whereupon the Commiſſioners of Burrowes by their Act at *Edinburgh* of the 13. of December 1639. yeares, Hes therefore obliged them to cauſe their neighbours make good and thankfull payment of the ſaid reſtricted duety, and not onely to aſſiſt in uplifting of the ſame from the neighbours, but alſo to concurre and aſſiſt for uplifting of the ſaid reſtricted duety from the Strangers whenſoever they ſhould come within their bounds and liberties, as the Act of Convention of Burrowes made hereupon at mair length beares. And the Eſtates of Parliament likewiſe conſidering the profits and univerſall good that redounds to all Ships, Barks, and others Veſſels coming and paſſing within the bounds above-mentioned, and bygane experience thereof. The ſaids Eſtates of Parliament do hereby enact, ſtatute and ordain, That the foreſaid reſtricted duty ſhall be peaceably injoyed, received and uplifted by the ſaid *John Cunninghame* of Barns, who hes now the right of the ſaid giſt and Patent diſponed and pertaining to him, and his heirs and aſſignes, and his and their deputes and Collectors, alſwel all other Ports & Harberies where any Ships or Veſſels do arrive, where there is no Burghs, as in Ports and Harberies of Burghs, for ilk Tun Ships and other Veſſels coming within Dunnottir and Sainct Tobs head. And findes and declares, That all ſhall be lyable and alike obliged to the ſaid *John Cunninghame* of Barns, and his foreſaids, for the

payment

payment of the foreſaid reſtricted dutie *reſpectivè* abovewritten, alſwell Natives as Strangers coming within the bounds aforeſaid, That the payment of the foreſaid reſtricted duty *reſpectivè* above-rehearſed be not fruſtrate nor made unprofitable to them in time coming. And ordaines publication hereof to be made at all places needfull (if need be) that none pretend ignorance of the ſamine: And that letters of horning, and all other executorials needfull be direct hereupon , alſwell againſt the Maſters, Sailers, and Owners of Ships both within the Harberies appertaining to Royall Burrows, and within their liberties, as againſt the Maſters, Sailers and Owners of Ships, Barks, or Crears arryving at Harberies or Ports whatſomever of landing outwith the Priviledges of Burghs Royall.

ACT IX.

Ratification of the Commiſsion for changing of the Waird Haldings holden of the Prince his Highnes.

16. January 1647.

THe Eſtates of Parliament now conveened in this ſixt Seſsion of the firſt Trienniall Parliament, Having ſeen and conſidered ane Signatour or Commiſsion granted by his Majeſty for himſelf, and as Tutor and Adminiſtrator to his deareſt ſon the Prince, To the Lord Theſaurer principall, the Depute and remanent Commiſsioners of Exchequer therein expreſt, To compone, tranſact and agree with all the Vaſſals who holds their Lands of his Majeſties ſaid deareſt ſon the Prince by Waird and relief, for ſik ſummes of money as they ſhall think reaſonable of fyne and compoſition, alſwell for alteration of their ſaids Tenours of Waird to Few-ferme, as for what Canon or Few-dutie ſhall be payed hereafter in all time coming in his Majeſties Exchequer , for every chalder of Victuall, or hundreth merks of money rent. As likewiſe to compone, tranſact, and agree with the ſaids Vaſſals, that his Majeſty ſhal be obliged to pay to the ſaids Vaſſals who ſhal happen to agree with his Majeſties ſaid Theſaurer, Theſaurer depute & *Quorum* of the Commiſsioners expreſt in the ſaid Commiſsion, ſuch compoſitions and few-duties as ſhal be payed by them to his Majeſties ſaid Theſaurer, Incaſe his Majeſties ſaid deareſt ſon the Prince at his majoritie ſhall not Ratifie the ſaid Commiſsion and Few-charters to be granted to the ſaids Vaſſals, bearing date at *Newcaſtle* the ninth day of January 1647. Hath ratified and approven , and by the tenour hereof ratifies and approves the foreſaid Commiſsion in the haill heads and articles of the ſamine , and declares the rights and ſecurities hereafter to

be

be made and granted of any Lands by the ſaid Theſaurer, Theſaurer Depute, and *Quorum* expreſt in the ſaid Commiſſion, changing and altering of them from Waird to Few, and obliging his Majeſty to pay to the ſaids Vaſſals, ſik ſummes of Money, with the annualrents thereof, as they ſhall happen to have payed to his Majeſties ſaid Theſaurer. Incaſe his Majeſties ſaid deareſt ſon ſhall not ratifie the ſaid Commiſſion at his Majoritie, ſhall be valid, good, and ſufficient charters and ſecurities to the receivers, and never be quarrelled in judgement nor outwith to them nor their poſterity. And declares, that the generalitie hereof ſhall be alſe ſufficient to all perſons who ſhall hereafter agree with the Theſaurer anent any ſik Lands, as if every ane of the ſaid charters were particularly ratified and confirmed in Parliament. And ordaines this preſent Act to be publiſhed at all places needfull with all diligence.

ACT X.

Declaration of the Kingdome of Scotland, *concerning the Kings Majeſties Perſon.*

16. *January* 1647.

WHereas it pleaſed God to joyne the Kingdomes of *Scotland*, *England* and *Ireland* in ſolemne League & Covenant for reformation & defence of Religion, the honour and happines of the King, and their own peace & ſafety; and in purſuance thereof, the Scots Army being in the Kingdome of *England*, the Kings Majeſty came into their Quarters before *Newark*, and profeſſed he came there with a full and abſolute intention to give all juſt ſatisfaction to the joynt deſires of both Kingdomes, and with no thought either to continue tois unnaturall War any longer, or to make diviſion betwixt the Kingdomes, But to comply with his Parliaments, and theſe entruſted by them, in every thing for ſetling Truth and Peace, and that he would apply himſelf totally to the counſels and advices of his Parliaments. And this he did not onely profeſſe verbally to the Committee of Eſtates with the Scots Army, but alſo in his ſeveral Letters and Declarations under his hand to the Committee of Eſtates of *Scotland*, and to the two Houſes of the Parliament of *England reſpective*: In confidence whereof, and of the reality of his Intentions and Reſolutions, which he declared proceeded from no other ground than the deep ſenſe of the bleeding condition of his Kingdomes; The Committees of the Kingdom of *Scotland*, and generall Officers of the Scots Army declared to himſelf and the Kingdom of *England*, their receiving of his Royall Perſon to be on theſe termes (which is the truth, notwithſtanding what may be ſuggeſted or alledged in the contrair by any within or without the Kingdoms) And repreſented to him, that the only way of his own happineſſe and peace of his Kingdomes under God, was to make good his profeſſions ſo ſolemnely renewed to both Kingdomes.

Thereafter

Thereafter not only were Propositions of Peace (which after serious and mature deliberation were agreed upon) tendered to him in the name or both Kingdomes for his Royall assent thereto, but also all the supreame Judicatories of this Kingdome, both Civill and Ecclesiastick, made their humble and earnest addresses to his Majesty by supplications, Letters, and Commissioners for that end, and did fully represent all the prejudices and inconveniences of the delay or refusall of his assent, and in particular, That his Kingdome would be necessitate to joyne with the Kingdome of *England*, conforme to the League and Covenant in providing for the present and future security of both Kingdomes, and in setling the Government of both, as might most conduce to the good of both. And the Parliament of *Scotland* being now according to the Treaty to retire their Army out of *England*, Have again for their further exoneration sent Commissioners to represent their renewed desires to his Majesty, with the dangers may ensue by his delay or refusall to grant the same, and that till then there was danger to the Cause, to his Majesty, to this Kingdom, and to the Union betwixt the Kingdoms by his coming into *Scotland*, and that therefore a joynt course will bee tane by both Kingdomes anent the disposall of his Person. And considering that his Majesty by his Answer to the Propositions of Peace in August last, and also by his late Message to the two Houses (and by his warrand communicate to the Estates of this Kingdome) hath expressed his desires to be near to the two Houses of Parliament: And seeing also the Parliament of *England* have communicate to the Scots Commissioners at Newcastle, and by them to this Kingdome, their resolution, that Holenby-house in the Countie of Northampton is the place which the Houses think fit for the King to come unto, there to remain with such Attendents about him as both Houses of Parliament shall think fit to appoint, with respect had to the safetie and preservation of his Person, in the preservation and defence of the true Religion and Liberties of the Kingdomes, according to the Covenant: Therefore the Estates of Parliament of the Kingdome of *Scotland*, and in regard of his Majesties not giving a satisfactorie answer to the Propositions as yet, and out of their earnest desire to keep a right understanding betwixt these Kingdomes, to prevent new troubles within the same, to satisfie the desire of his Majesty, and the two Houses of Parliament of *England*, and of this Kingdome, for his residence in some of his Houses near the Parliament of *England*, and to prevent mis-information, and to give satisfaction to all, Do declare their concurrence for the Kings Majesties going to Holenby house, or some other of his Houses in or about *London*, as shall be thought fit, there to remain untill he give satisfaction to both Kingdomes in the Propositions of Peace: And that in the *interim* there be no harme, prejudice, violence, nor injury done to his Royall Person: That there be no change of Government other then hes been these three yeares past: And that his Posterity in nowayes be prejudged in their lawfull succession to the Crown and Government of these Kingdomes. And as this is the clear intention and full resolution of the Kingdome of *Scotland*, according to their interest

and

and duety in relation to the Kings Majeſty, ſo they are confident (from the ſame ground and manifold Declarations of the Parliament of *England*) that the ſame is the reſolution of their Brethren. And at ſuch a time they do expect a renewed Declaration thereof: And that they will give Brotherly and juſt ſatisfaction to the deſires herewith ſent. Likeas the Kingdom of *Scotland*, do hereby aſſure their Brethren in *England*, that it ſhall be their conſtant endeavour to keep, continue, and ſtrengthen the Union and Peace betwixt the Kingdomes, according to the Covenant and Treatie.

ACT XI.

Act anent fining of appeirand Heires.

26. January 1647.

THE Eſtates of Parliament, Having tane to their conſideration the two Quæres underwritten, repreſented to them from the Committee for Proceſſe and Moneyes (with the opinion of the Grand Committee thereanent) *viz.* Whether or not ane appeirand Heir ſhall have allowance in his fine of the annualrents of ſuch ſummes as the Father hes burdened the Land with, by Infeftments which preſently payes no annualrent, and are to be payed when the appeirand Heir enters to the eſtate. 2. Whether or not Caſuall rent ſhall be compted as ane part of the rent, whereunto the appeirand Heire is to ſucceed to, and if he ſhould be fined accordingly, They after debate and voycing, Finde that the appeirand Heir ſhould have allowance in his fyne of the annualrents of ſuch ſummes as the Father hes burdened the Land with by Infeftments before the Act of fyning, and which for the preſent payes no annualrent, but are to be payed when the appeirand Heir enters to the eſtate. And for anſwer to the ſecond Quære, Findes that in this particular concerning the Lord *Seytoun*, he may be fined in relation to the halfe of the Caſuall rent pertaining to his Father, conforme to the valuation thereof of the Shire where it is.

ACT XII.

Act anent these who hes gotten passe and assurance, and hes since joyned with the Rebels.

26. January 1647.

THe Estates of Parliament now conveened in this Sixth Session of Parliament, Taking into their serious consideration the great hurt and prejudice that may come to the good Cause now in hand, and to the peace of the Countrey, and what evill example it may be in time coming, if no farther assurance nor certification shall be put upon these wha hes comed aff the Rebellion upon Passe, and acted themselves for their good behaviour, But onely the incurring of the penalties and summes under the which they are acted for their good behaviour, albeit thereafter they either have joyned, or shall joyne themselves to the Rebels and Enemies of this Kirk and Kingdome, either personally, or by advice and correspondence, or hes allowed, or shall allow their men to go with the Rebels. The saids Estates of Parliament for remeid hereof, and for enconraging of these who hes been faithfull and loyall to the Cause and Countrey, and to continue therein; and for terrifying of the others fra attempting and doing of any thing to the prejudice thereof, Findes, declares, statutes and ordaines, that these who hes comed aff the Rebellion upon Passe, and acted themselves for their good behaviour, and thereafter hes joyned, or shall joyne themselves personally to and with the Rebels, the Enemies of this Kirk and Kingdome and peace thereof, are and shall be in the same condition, as if they had not gotten ane Passe, and that they have thereby forfaulted and tint the benefit of their saids Passe, as if the samine had never been granted to them. And alse findes, declares, statutes and ordaines, That these who hes comed aff the Rebellion upon Passe, and acted themselves for their good behaviour, as said is, and shall hereafter at any time within the space of fifteen dayes after the publication of this Act at the Market Crosses of *Edinburgh*, *Aberdene*, *Dumbartan*, *Stirling*, and *Pearth*, joyned themselves to or with the Rebels by advice or correspondence, or shall allow their men, tenants, or servants to go with the Rebels, shall likewise be in the same condition as if they had not gotten ane Passe, and that they have thereby forfaulted and tint the benefit of their said Passe, as if the samine had never been granted to them. And declares the samine Passe in either of the cases *respective* above-written, to be null and ineffectuell fra the beginning, and in time-coming, with all that hes followed, or may follow thereupon. And ordaines publick Proclamation to be made hereof at the market Crosses of the Burghs *respective* above-written, that nane pretend ignorance of the samine.

ACT XIII.

Act anent the modelling of the Forces kept up for the Service of the Kingdome.

29. January 1647.

IT is ordained, That the number of Horſe to bee kept up are to be twelve hundred, and thir Horſe are not to be Regimented, but put into ſeveral Troups, whereof none to be ſubordinate to another.

The number of Foot to be kept up are to be ſix thouſand, to be divided into ſeven Regiments, whereof two Hie-land Regiments, each whereof ſhal contain ane thouſand men, and conſiſt of eight companies; And the other five Law-land Regiments to contain eight hundred men apiece, and to conſiſt of ſix companies.

That there be two companies of Dragooners, each company conſiſting of ane hundred men ſtrong.

That the Root-maſters, Captaines of Dragooners and Foot, and all ſuperior Officers of the whole Forces aforeſaid, Be nominate by the Parliament or Committee of Eſtates hereafter, when any of the ſame ſhall happen to vake.

That the Earle of Leaven be entruſted with the charge and command of thir Forces, conforme to the Commiſſion and Inſtructions herewith ſent to his Excellence.

That Lieutenant Generall *David Leſlie* ſhall be Lieutenant Generall, and Generall Major *John Middletoun* ſhall bee Generall Major of the whole Forces Horſe and Foot to be kept up within this Kingdome.

That the foreſaids twelve hundred Horſe ſhall bee divided into fifteen Troups, each conſiſting of fourſcore Horſe *effectivè*, whereof three Troups to be commanded by the three Generall Officers aforeſaid, and the reſt by the Root-maſters aftermentioned.

That five hundred and threeſcore Horſe bee taken out of the Regiments of Horſe preſently within this Kingdome, and ſix hundred and fourtie Horſe out of the Regiments of our Armie in *England*.

That the two companies of Dragooners bee taken out of the Armie within this Kingdome.

That four Regiments of Foot, each conſiſting of eight hundred men divided into ſix companies, bee made up out of our Army in *England*, including Conolell *Mauld* his Regiment; And that the Committee at *Newcaſtle* and Lord Generall, conſider the proportion to be raiſed out of each Regiment, excepting the Regiments that come from *Ireland*.

That one Captaine, one Lieutenant, and one Enſigne, may be nam-

out of each Regiment, who are to have the charge of keeping together the number to be raised out of that Regiment; And that the Souldiers names be enrolled, and themselves ingaged in the Service before they receive their Money or the rest disband.

That two Hie-land Regiments, and one Law-land Regiment of Foot be made up out of the Forces within this Kingdome and Garison of *Berwick*, and out of such Hie-land men in Tullibardine his Regiment, as belong to the Lairds of Glenurquhie, Lawers, or Weymes.

That the Colonels underwritten are to serve as Colonels, under the command of the three Generall Officers abovementioned.

That the Root-masters hereafter nominate shall at this present time alanerly choose their Lieutenants and other inferior Officers, by advice and consent of the Generall Officers: And the Colonels of Foot choose their Captaines and other inferior Officers, by the advice and consent of the saids Generall Officers at this present time alanerly, and that *respective* for *England* and *Scotland*, according to the division after mentioned; and that the Regiments of Horse and Foot *respectively*, with all diligence shall be designed, out of the which the Colonels and Root-masters shall have their Regiments and Troups: And in respect of the present occasion within this Kingdome, ordaines a list of all the Officers now presently within this Kingdom, to be given to Generall Major *Middleton*, to the effect, that he may call them together and go about to make up the Troups and Regiments of these Forces nominate within this Kingdom, and actively go about to set down the readiest Conclusions for pursuance of this war against the common Enemies and Rebels.

That in respect there is seven Regiments of Foot, whereof the two Hie-land Regiments are to consist each of a thousand men, and that the other five Regiments consisting of four thousand men are to contain each Regiment eight hundreth men: Therefore that there be three thousand and two hundreth men chosen for making up of the five Regiments of Foot out of our Army in *England*, and the other Regiment consisting of eight hundreth men, shall be made up of the Regiments in *Scotland* by the Hie-landers.

That these twelve hundreth Horse to be kept up shall be divided in fifteen Troups, each consisting of fourscore Horse, whereof three shall be commanded by the three Generall Officers before mentioned, and their Troups to bee furnished out of our own Army in *England*.

We have appointed Colonell *Robert Montgomerie*, Colonell Lockhart, Lieutenant Colonel *Mungo Murrey*, Colonel *James Merser* of Aldie, Colonell *Keith* of Ludquharn, Colonell *Henry Barcley*, and Major *David Barcley*, to be seven Root-masters, who are to have their Troups out of the Regiments of the five hundreth and threescore Horse to be taken of these Regiments now serving in *Scotland*.

We have appointed Colonell Sir *John Brown*, Lieutenant Colonell *Thomas Craig* of Riccartoun, Colonell *Hugh Fraser* of Kenneries, Lieutenant Colonell *Strauchan* of Thornetoun, and Lieutenant Colonell *Gilbert Ker*, to be five Root-masters, who shall have their Troups

furniſhed out of theſe ſix hundreth and fourty men to be furniſhed ou[t] of the Armie of *England* toward the Troups of the three Generall Of[fi]cers, and the ſaids five Troups.

That each Troup be allowed to have two Trumpeters.

That the Marques of Argyle and Laird of Ardkinlas be Colone[ls] of the two Hie-land Regiments (conſiſting of a thouſand men apiec[e] to be divided in eight Companies) With power to them to nomi[nate] their Lieutenant Colonels and all inferior Officers at this time a[nd] nerlie.

That for commanding the other five Regiments (each whereof [is] to conſiſt of eight hundred men, to be divided in ſix Companies) th[e] Colonels, Lieutenant Colonels, and Majors underwritten, are nomi[-] nate and elected by the Parliament, *viz.* Colonell *Alexander Hamil[-] toun* Generall of Artilerie, and his Lieutenant Colonell *John Home*, [and] and Major *James Innes*, who are to be provided of their Regiments fro[m] theſe foot Forces now preſently within the Kingdome of *Scotland*.

Item, Generall Major *James Howburn* and his Lieutenant Colonell *John Innes*, and Major *Meldrum*. *Item*, Colonell *Coline Pitſcottie*, and his Lieutenant Colonell *John Rouch*, and Major *John Tours*. *Item*, Colonell *Walter Scot*, and his Lieutenant Colonell *John Hadden*, and Major *Blair*, Colonell *William Stuart*, and his Lieutenant Colonell *David Weimes*, and Major *Agnew*: All which four Colonels are to have their Regiments furniſhed and made up to them out of theſe three thouſand and two hundreth men to be taken out of our Army now preſently in *England*. And that to the foreſaid Armie now preſently to be kept up in *Scotland*, Lieutenant Colonell *Heugh Montgomerie* be Generall Adjatant, and Generall Quarter-maſter *Innes* to be ſtill Generall Quartermaſter.

Item, That Lieutenant Colonell *Patrick Blair*, and Major *William Sharp*, bee the two Captaines of the two companies of Dragooners which are likewiſe to bee kept up in this Kingdome, and each of the companies is to be furniſhed from the Dragooners preſently within the Countrey, and to conſiſt of ane hundreth men, whoſe under Officers are to bee choſen by the adviſe of the Generall Officers within the Kingdome for this time allanerly.

Alſo it is ordained, when any Colonel, Lieutenant Colonel, Major and Captaine of Foot, Root-maſter, or Captaine of Dragooners, ſhall be taken on in their charge, That they before they be admitted in Service, they ſhall give in ſufficient caution for obſerving and performing the conditions underwritten, and that the Committee within the Kingdome of *Scotland*, and with the Army in *England*, take the ſaid caution and good ſecuritie.

And that the tenor of the caution be as followeth.

1. That they ſhall conſtantly attend the Service with their Regiments, Troups, or Companies, either in the Hie-land, Ileland, or Law-land as they ſhall have order, and ſhall not bee fourty eight hours from their charge, without a foreloffe from the Committee of Eſtates or commander in chief.

2. That

2. That they ſhall keep up their Troups and Companies in the juſt number before written, and no ſtronger, *viz.* The Troup of Horſe fourſcore, the Troup of Dragooners an hundreth, and the Company of Foot an hundreth thirettie three.

3. That they keep their Troups, Companies, and Souldiers, from plundering any Horſe or other goods in the Countrey.

4. If any Trouper or Souldier ſhall violent or hurt any perſon or plunder their goods, That the Colonell, Lieutenant Colonell, Major, Captaine, or Root-maſter, each of them *reſpective*, for their own Regiment, Troup, and Company, ſhall either ſatisfie the party offended, or preſent the offender to the Sheriffe of the Shire, Stuart of the Stuartie, Bailie of the Bailliarie and Regalitie, or Magiſtrates of the Burghs *reſpective*, where the fault is committed, or where the offender ſhall happen to be for the time, or ſhall execute martiall law upon the offender at the option of the complainer, which judges ſhall do juſtice upon the offenders as upon theeves, or for the like offences, and that as fully as any particular Commiſſion were given thereanent; For which purpoſe a Commiſſion is now paſt in Parliament warranding the Juſtice Generall, Juſtice Deputes, and other Judges aforeſaid, to proceed to the trying and judging the Crimes abovementioned.

5. That the Officers aforeſaids ſhall not raiſe, ſeiſe, nor take Quarters for any men, but theſe whom they have effective, and that they take no money nor free Quarters for the men they have, without ſpeciall warrand from the Parliament or Committee of Eſtates.

6. That the Cautioner be obleiged abſolutely for reparation of the fault to the party offended, and under the paines following for the faults and every one of the Articles aforeſaid, *viz.* The Colonell of Horſe under the pain of ten thouſand merks, the Lieutenant Colonel of Horſe five thouſand punds, the Major to Foot, five thouſand merks, the Captaine to Foot, a thouſand punds, the Root-maſter, ten thouſand merks, the Captainof Dragooners, five thouſand merks: And this declared to be, beſide the caſſeiring of the Officers, and ſuch farther perſonall puniſhment to be inflicted upon him, as the Parliament or Committee of Eſtates ſhall think fit.

And laſtly, It is ordained by the Parliament, that there ſhall be no alteration addition of Officers, ſuperior or inferior, nor alteration thereof, of the Regiments and Troups then is formerly condiſcended upon.

ACT

ACT XIV.

Act for advancing ane Moneths Maintenance for disbanding the Army.

10. *February* 1647.

THE Estates of Parliament now conveened in this sixth Session of the first Trienniall Parliament, Taking to their consideration the present necessity of Money for disbanding the Regiments of Horse and Foot that are not to be keeped up, and for payment of the assignements for the Service at *Philiphaugh*, and providing Magazines of Victuall for the Forces to be keeped up: And finding no readier way for getting Money for this effect, than to ordain a full Moneths Maintenance to be presently payed by the Shires and Burghs of the Kingdome; Therefore the saids Estates do hereby enact and ordain, That a full Moneths Maintenance be up-lifted, and payed by the whole Shires and Burghs of the Kingdome, ilk Shire and Burgh according to their own proportion and quantity, exceptand the Lands and Burghs possessed by the Enemy, or burnt, or wasted, or which are exeimed from payment of Maintenance by warrand of Parliament: And ordaines the saids whole Shires, and Burghs of the Kingdome to make payment, ilk one of them for their own parts and proportions, of ane full Moneths Maintenance, according to the quantities and proportions, for ilk Shire and Burgh, to Collectors appointed by the Estates for receiving thereof, as followes, *viz.* The Shires and Burghs be-South the water of *Dee*, betwixt and the twentieth day of February instant; and these Shires and Burghs be-North *Dee*, at the rates and dyets to be appointed by the generall Act of Maintenance, and as shall be prescribed by the same Act. And it is hereby declared, in respect the summes presently imposed by this Act upon the Shires in part of payment to some Shires of their Maintenance, is onely for the present occasion, while the Act of Maintenance be fully established: That therefore the same summes now imposed, shall be payed out of the Lands which are not possessed by the Enemy, nor have been burnt nor wasted by the Enemy, nor our own Forces, or the Plague, so that the Heritours thereof are disabled there-through to make payment of their severall proportions imposed upon the said Lands; Providing the same do not exceed the proportion due by any Heritour by the Act of Maintenance at *Saint-Andrewes*. And also the Estates Ordaines the Commissioners of the Shires and Burghs, in this Session of Parliament, to acquaint the Committees of War of the severall Shires, and Magistrates of Burghs *respectivè*, for providing and paying of their proportionall parts of the foresaid Moneths Maintenance, betwixt and the day and times *respectivè* above-specified, appointed for that effect. And the saids Estates Declares, That who shall fail

in payment thereof, betwixt and the times foresaids (except such as before excepted) shall be Quartered upon, while the payment of their own proportions: And ordaines the foresaids Moneths Maintenance to be sent by the Committees of War of the severall Shires and Magistrates of Burghs, to their Commissioners of Parliament *respectivè*, to be delivered by them to the Collector foresaid, to bee appointed by the Estates for that effect. And to the effect the saids Moneths Maintenance may be the more readily and timously payed, The Estates gives hereby warrand to the Committees of War of the severall Shires, to appoint such numbers of Horse and Foot of their own Shires, to Quarter upon the Deficients in Burgh or Land of their Shires, for payment of their proportionall parts of the saids Moneths Maintenanee, as the Committee of War shall think fit, ay and while they make payment of their proportionall parts of the foresaid Maintenance. And becauſe theſe ſummes which are reſtand unpayed of the aſſignements to the Regiments at *Philip-haugh* muſt be preſently payed to theſe Regiments, before they will disband, The Eſtates do therefore ordain the particular ſummes and fynes *reſpectivè* after-mentioned, to be preſently advanced and payed by thir Burghs, Shires, and perſons following, to the Regiments under-written, *viz.* The ſumme of 31766 l. 13 s. 4 d. To the Lord Generall, the Lieutenant Generall, and Major Generall *Middleton* their three Regiments, to be payed as followes, to wit, By the Sheriffdome of *Berwick*, 3555 l. By the Burgh of *Lawder*, 45 l. By the Sheriffdome of *Roxburgh*, 5778 l. By the Burgh of *Jedburgh*, 126 l. By the Sheriffdome of *Selkirk*, 1278 l. By the Burgh of *Selkirk*, 126 l. By the Sheriffdome of *Pebles*, 1638 l. By the Burgh of *Pebles*, 108 l. By the Sheriffdome of *Lanerk*, 5382 l. By the Burgh of *Lanerk*, 162 l. By the Burgh of *Glaſgow*, 1530 l. By the Burgh of *Rutherglen*, 45 l. By the Sheriffdome of *Fyfe*, 6642 l. By the Burgh of S. *Andrewes*, 760 l. By the Burgh of *Dyſert*, 270 l. By the Burgh of *Kirkaldie*, 600 l. By the Burgh of *Cowper*, 216 l. By the Burgh of *Anſtruther* eaſter, 180 l. By the Burgh of *Pettinweyme*, 120 l. By the Burgh of *Dumfermline*, 1061 l. By the Burgh of *Bruntiland*, 2061. By the Burgh of *Carrail*, 1061. By the Burgh of *Kinghorne*, 108 l. By the Burgh of *Anſtruther* weſter, 54 l. By the Burgh of *Innerkeething*, 90 l. By the Burgh of *Kil-*, 27 l. By the Sheriffdome of *Linlithgow*, 1746 l. By the Burgh of *Linlithgow*, 324 l. By the Burgh of *Queensferrie*, 108 l. By the Sheriffdome of *Edinburgh* principall, 134 l. 13 s. 4 d.

Item, to the Earl of *Dalhouſies* Regiment the ſum of 7001 l. 13 s. 4 d. whereof by the Sheriffdome of *Hadingtoun*, 3384 l. By the Burgh of *Hadingtoun*, 324 l. By the Burgh of *Dumbar*, 180 l. By the Burgh of *Berwick*, 36 l. And by the Sheriffdome of *Edinburgh* principall, 3077 l. 13 s. 4 d.

Item, To Colonel *Fraſers* Regiment 10050 marks, whereof 7000 marks by the Laird of *Blindlie*, in full ſatisfaction of his fine of 10000 marks, And theother 3050 marks by the Sheriffdome of *Drumfreis*, out of the firſt and readieſt of the 4446 l. payable by that Shire.

Item, To the Lord of *Kirkudbrights* Regiment, 12963 l. whereof the ſum

ſum of 10000 l. to be payed by the Lord *Herries*, for reſcinding of his forefaulture, and in ſatisfaction of his contravention of 10000 marks, for his good behaviour, for the which the L. *Kirkdbright* is caution, and 2963 l. by the Sheriffdome of *Wigton*, and Stuartry of *Kirkudbright*.

Item, To the Lord *Montgomeries* Regiment, 992 l. 6 s. 8 d. by the ſaid Sheriffdome of *Drumfreis*.

Item, To the Lord *Coupers* Regiment the ſum of 4266 l. 13 s. 4 d. whereof 4000 l. by the Sheriffdome of *Perth*. 108 l. by the Burgh of *Culros*. 148 l. by the Sheriffdome of *Kinros*. And 14 l. 13 s. 4 d. by the Sheriffdome of *Edinburgh*, which with 10000 marks aſſigned to that Regiment, for the Earle of *Nithiſdales* forefaulture, compleats their moneths aſſignement for *Philip-hauch*.

Item, To fourtie Troopers of Colonell *Barkleyes* Troop, for a moneths pay, at 14 s. *per diem*, 840 l. and 48 l. for a moneths pay to a Lieutenant, and 36 l. for a moneths pay to a Cornet, to be payed by the Sheriffdome of *Edinburgh*, which compleats the Moneths Maintenance for that Shire, except 33 l. 13 s. 4 d. which yet reſts thereof.

Item, To the Lord *Balcarras* 15000 marks, in compleat payment of his former precept of 10000 l. granted to him at *Perth*, and in ſatisfaction to him and his Regiment, of the ſumme aſſigned to them by the Act at *Glaſgow*: And ordaines this ſumme to be payed out of the firſt and readieſt of the ſuperplus of the foreſaid Moneths Maintenance, now ordained to be advanced, and not aſſigned or otherwiſe deſtinate to bee payed in manner before rehearſed.

Which particular ſummes *reſpectivè* abovementioned, the Eſtates ordaines to be preſently advanced and payed by the preſent Commiſſioners for Shires and Burghs, and perſons *reſpectivè* above-named, to the foreſaids Regiments and others *reſpectivè* above-deſigned: And ordaines the ſaids Commiſſioners for Shires and Burghs, to be repayed of the foreſaids ſums, hereby ordained to be advanced by them, as ſaid is, by their ſaids Shires and Burghs, with the annualrent thereof, from the time of their advancement while the repayment: And ordains the like execution to be direct at their inſtance, for their relief and payment, as is appointed to be direct for payment of the foreſaid Moneths Maintenance to the publick, by poinding and diſtreinzeing of the Shires, Burghs, and perſons deficients for the ſame: And the Eſtates declares That the particular ſummes above-written, ſhall bee allowed to the Burghs and Shires payers thereof, in payment of the foreſaid Moneths Maintenance ordained to be uplifted from the whole Shires and Burghs of this Kingdome.

ACT XV

ACT XV.

Answer of the Parliament to the Remonstrance of the Church.

11. *February* 1647.

THe Estates of Parliament now conveened in this sixth Session of the first Trienniall Parliament, Having seriously considered the Remonstrance of the Commissioners of the Generall Assembly presented to them; Do with all thankfull acknowledgement receive the pious and seasonable admonitions and exhortations therein contained, and return to their particular desires this following Answer.

1. That they do hereby ordain all Acts already passed for punishing of vice and advancing of vertue, to stand in force, and be put to due execution, Recommending the same to all the Ministers of justice whom it concernes. And that they are yet ready to enact any further new Lawes and Ordinances necessary for that purpose, having appointed a Committee for Acts and Overtures to meet with M. *James Robertoun* the Justice Depute at all convenient occasions, for receiving and considering the desires and Overtures of the said Commissioners, and to prepare a report of their opinions therein to the Parliament with all diligence.

2. That they have been ever carefull to preserve that Band of Union betweene the Kingdomes, and to prosecute the work of Uniformity according to the Covenant, still resolving zealously to study the same. That they have yet again made their humble addresses to his Majesty for signing the Covenant, and satisfying the desires of his Parliaments of both Kingdomes; All which their Instructions to their Commissioners at *London* and *Newcastle*, and their Letters to the Parliament of *England* do sufficiently expresse: And what further is to be done in relation to these particulars, shall be communicate to the Commission from time to time, that they may joyntly concur according to their place and vocation for prosecuting thereof.

3. Touching the particulars concerning these persons brought off the rebellion by the Generall Major thereunto warranted; That the publick faith so given unto them is not to be violated: But for the better securing the peace and quiet of the Kingdomes, These persons brought off the rebellion are hereby appointed to give such further assurance of their loyall and regular behaviour in time-coming, and for keeping the Peace to conform to the former Lawes and Practises; And in the mean time that such of them and others accessary to the rebellion, and under censure of Church and State, whom the Committee thereunto appointed shall think fit, be commanded off Town, And that an Act and Proclamation be drawn by that Committee, and speedily expedited and presented for the Parliament to that effect: Ordaining further, that the saids persons brought off the rebellion, and any others guilty of the crimes mentioned in the first Classe of the Act at S. *Andrews*, shall not be ad-

mitted to ſit in any publick Judicatories, nor enjoy and exerce any Offices or Places of truſt Civill or Military, during the time of theſe troubles, and longer during the pleaſure of the Parliament, without prejudice to perſons who have heritable Offices, to nominate and appoint by the advice of Parliament, Committee of Eſtates, or Secret Councell, fit perſons, againſt whom there is no juſt exception, to be their Deputes in theſe Offices. And it is alſo hereby declared, that theſe perſons brought off the rebellion, are not to be in a better condition than other Subjects, But that they are and ſhall be lyable & ſubject in payment of all Loans, Taxes, Monethly Maintenance, and of their proportions for Leavies of Foot and Horſe, at the rates and prices ſet down by Acts of Parliament, or Committee of Eſtates, or Committees of War in Shires where they have intereſt *reſpectivè*; And of all other publick burdens, impoſitions, and duties whatſomever, for all yeares bygone, and in time coming, as fully and in the ſame manner as any other perſon is or hath been ſubject thereunto.

4. That all the former Lawes and ordinances againſt excommunicate perſons, are hereby appointed to ſtand in full force and vigour, Recommending to every one whom it concerns, to put the ſame to due execution: And what ſhall be found further neceſſary from the Parliament, to make that dreadfull ordinance of God, ſenſible to ſuch obſtinate offenders, And to have due regard and reverence from all, is to be conſidered by the ſaid Committee, to whom the Overtures of the Commiſsion to that purpoſe are referred; and after return of their report, The Parliament will take the ſame to ſpeciall conſideration.

5. That they are very ſenſible of the diſtreſſes of the Province of *Argyle*, and have already provided ſome means for their preſent ſubſiſtance and relief, Reſolving ſtill to take further courſe for their help and ſuccour, and to proſecute the War againſt the Rebels, not only there, but in all the parts of the Kingdome.

6. That the buſines of *Ireland* is carefully recommended to the grand Committee; wherein, after the reſult of their conſultations ſhall be returned, they are to take ſome ſpeedie and effectuall courſe accordingly.

7. That they judge it moſt juſt and reaſonable, that the Judicatories of the Kirk be preſerved in their integrity and authority, That inſolencies againſt them be exemplarly puniſhed, And that particular ordinances be drawn for that purpoſe, which is hereby recommended to the ſaid Committee of Overtures.

8. That they have recommended to the Generall Officers, to puniſh the inſolencies and diſorders of Souldiers committed before this time, and for preventing the like hereafter, They are to conſider the report of the great Committee, and to take courſe how the Officers that are to have command, may give aſſurance for reſtraining and redreſsing ſuch inſolencies and diſorders for time to come.

And the Eſtates of Parliament hereby Statute and Ordain, That the particular Ordinances, Declarations and Anſwers above-expreſſed, ſhall have the ſtrength and authority of Acts, Declarations, Anſwers, and Ordinances of Parliament conform to the tenours and natures thereof reſpectivè.

ACT XVI.

Ratification of the Act anent the distribution of the 5000. l. Sterling, to the Lame Souldiers, and to the Widows, and Orphans of the deceast Souldiers.

17. *February* 1647.

THe which day Sir *Adam Hepburn* of Hubmie, for himself, and in the behalf of the remanent Commissioners sent from the Parliament to Newcastle to the Kings Majestie, for representing to his Highnesse the particulars contained in the Commission and Instructions given to them, and for distributing, with advice of the generall Officers of the Army and Governor of Newcastle, of the Two hundred thousand pound Sterling that came down from London to the Armie, conform to the Commission and Instructions given to them thereanent, Produced and Exhibite in Parliament the Act underwritten, whereof the tenor followeth.

At *Alnick* 6. February 1647.

Forsmuch as we are intrusted and authorized by the Parliament for distributing the two hundred thousand pound Sterling come from London, proportionably amongst all the Regiments of the Horse and Foot, who have served in England, as well these who have been broken in the Service as these who are yet standing, And be also intrusted and authorized to give a proportionable share, not only to the living but to the Widows and Orphans of the dead, who served in *England*; Therefore having already appointed a due proportion to all the dead Officers, And taking to consideration how we might acquite our selves in the discharge of that dutie, which in appointing some proportionable payment for the Lame, and Widows, and Orphans of the dead Souldiers, after speciall advice had with the Generall Officers of the Army thereanent; Have nominated and appointed the soume of five thousand Pound Sterling, to be distributed amongst the said Souldiers, and the Widows and Orphans of the dead; And considering that it is impossible to attain to a just and exact accompt of the names and number of the forenamed Souldiers, and of their Widows and others having interest in them, Do after serious pondering of the slaine and slain of the Regiments, come from the severall Shires, nominate and appoint the proportion following, *viz.* For the Sheriffdoms of Aberdene and Bamff 1201. Sterling. Sheriffdom of Mearns 1001. Sterling. Sheriffdome of Forfar 2501. Sheriffdome of Pearth 6001. Sheriffdom of Fyfe and Kinrosse 7501. Sheriffdoms of Sterling and Clackmannan

mannan 200 l. Sheriffdom of Lanerk 300 l. Sheriffdoms of Renfrew and Air, proportionably amongst them two 900 l. Sheriffdom of Wigtoun and Stuartrie of Kirkudbright 350 l. Sheriffdom of Drumfries 200 l. Sheriffdom of Peebles 50 l. Sheriffdom of Berwick 200 l. Sheriffdom of Roxburgh and Selkirk 350 l. Sheriffdome of Haddingtoun 260 l. The Burgh of Edinburgh 50 l. Sheriffdome of Linlithgow 60 l. Sheriffdome of Edinburgh to Landward 260 l. -----*Summa* 5000 l. Which proportion we ordain to be delivered unto the present Commissioners of the Parliament, or any of them of each Shire and Burgh, who upon the receipt thereof shall give Notes to the effect after-specified. And give warning to the severall Presbyteries in their respective bounds for causing every Minister of their number to bring into the Presbyterie from their severall Sessions an exact Roll of all common Souldiers belonging to their severall Parishes, of the abovenamed Regiments, Companies, Troups of Horse or Foot, that have been lamed or are dead in the service; And that this Roll shall be testified by any of the Officers of the field, Captain or Rootmaster, under whom they served, to be revised and approven by the severall Presbyteries *respectivè*, and made use of as after followeth; That is to say, Each Presbytery of every Shire shall chuse a Ruling Elder of their number to whom the same shall be delivered, which Ruling Elders are hereby authorized to meet with the Commissioners of Parliament of the several Shires and Burghs at the head Burgh of the Shire or Stuartrie of Kircudbright, upon a day appointed by the saids Commissioners immediatly after the receipt of the Presbyteries diligence made unto these Commissioners; And in the said meeting one or moe as they shall finde expedient of the Commissioners of the Shires and Burghs, and these Elders, shall distribute the summe appointed for their Shires proportionably amongst the severall Presbyteries, according to the number contained in the Rolls, and the rules of the proportion to be as followeth, *viz.* Ilk Souldier as he served on Horse or Foot, to have proportionably according to his standing in the service, allowing as much for the first six moneths from January 1644. to the moneth of June thereafter, as for fifteen moneths thereafter. And although we trust and be confident, that in a businesse of this nature every man will be faithfull and diligent, as he would shun the curse of the Almighty God, and procure his blessing, who is a defender of the Poor, Fatherlesse, and Widow; Yet for observing order and regulating enormities (if any shall be) It is hereby appointed, That the Committees and Presbyteries aforesaid, shall make report of their diligence unto the Parliament, or Committee of Estates, or any nominate by them for that effect. And we do hereby further declare, That none who were Runawayes, or who have at any time joyned with the Enemy, shall have the benefit of this Article.

Sic subscribitur.

Leven, Balcarras, David Leslie, Hepburne, Ruthven of Frieland, *Holburne, William Glendoning.*

Which Act being publickely read in audience of the Parliament, And the same, with the particular Division and Distribution therein mentioned, Heard and Considered by the Estates of Parliament, They Ratifie, Approve, and Allow the same, In the whole particular heads and Articles thereof, In all points conform to the tenor of the said Act, with the procedor of the Committee thereanent: And doe hereby interpone the authority of Parliament thereto, And ordains the same to have the force, strength, and effect of an Act of Parliament, and returns thereby publike thanks to the Army, and this present Act to be Printed and published.

ACT XVII.

Anent the nine Moneths Maintenance for the Armie, and Retention of ane and a half of the Hundred for the Anualrent.

20. *February* 1647.

THe Estates of Parliament now conveened, in this sixth Session of the first Triennall Parliament, Taking to their serious consideration the long continuance of the present rebellion of our unnaturall Countrey-men, and of the invasion from the *Irish*, and the great expences that they must [illegible] for suppressing of the same, and carrying on of the War; and [illegible] necessary and incumbent it is to them, that some solide and setled [illegible] be provided for the constant Maintenance of the Forces, Horse and [illegible]oot, Have therefore concluded, that six thousand Foot, twelve hun[illegible]ed Horse, two hundred and ten Dragooners, shal bee intertained and [illegible]ayed upon pay, towards the prosecution of the War against these Re[illegible]ls and Invaders, untill the same, by the blessing of the God of Hostes, [illegible] brought to an happy end; Have therefore thought fit to statute and [illegible]ain, Likeas for that effect they enact and ordain, that ilk Shire and [illegible]gh within this Kingdome, shall bee lyable and oblieged, in payment [illegible] the particular sums of Money, and that Monethly, and with the Su[illegible]ssion underwritten, for the intertainment of the Forces, Horse, Foot, [illegible]d Dragooners abovewritten, and that for the space of nine Moneths, [illegible]hereof the most part of the first Moneth is already assigned by a for[illegible]er Act, towards the payment of the Regiments which served at *Phi*[illegible]*phaugh*) beginniug the first termes payment from the tenth of January [illegible]last-past, and so forth, after the expiring of that Moneth, to conti[illegible]ue for other eight Moneths thereafter, untill the tenth of October next [illegible]ensuing. But because the most part of that Moneths maintenance is ei[illegible]ther assigned or payed, and that the Forces abovementioned is ordained [illegible] pay all their intertainment, and take no free Quarters, which the E[illegible]states have ordained to be refounded unto them at the end of the Mo[illegible]neth,

neth, after their ingagement: Therefore it is ſtatute and ordained, that for payment of their bygone Moneth, the Shires and Burrows ſhall readily pay, and deliver to Sir *John Weemes* of Bogie General Commiſſar and Collector of this Kingdome, who is hereby appointed to pay the Regiments their ſeverall proportions of Monethly maintenance, according to the diviſions after following, that portion of the ſaid firſt Moneths maintenance not formerly aſſigned, and alſo to pay and deliver to him the whole other eight Moneths maintenance, and that Monethly, beginning the payment for the ſecond Moneth upon the firſt day of March, for payment of the preſent Army, betwixt the tenth day of February, to the tenth day of March, in reſpect the ſaid intervening dayes, are the leaſt which can be allowed for in-gathering of this maintenance, and ſo forth Monethly thereafter from each firſt day of the Moneth to another, during the continuance of this preſent maintenance, except what is ſuſpended in manner aftermentioned.

Followes the ſums payable by the Shires, which is underwritten, and that Monethly, by the ſpace of nine Moneths, from the tenth of January laſt by-paſt, to the tenth of October next to come, *viz.* *Orkney* of Monethly pay, 1143 l. *Innernes*, 4176 l. *Caithnes*, 945 l. *Cromartie*, 991 l. *Sutherland*, 423 l. *Nairn*, 315 l. *Elgin*, 1890 l. *Aberdeen*, 6543 l. *Bamfe*, 1431 l. *Kincardine*, 1566 l. *Forfar*, 5004 l. *Pearth*, 8001 l. *Fife*, 6642 l. *Striveling*, 2538 l. *Kinroſſe*, 144 l. *Clackmunnan*, 522 l. *Edinburgh* 4167 l. *Linlithgow*, 1746 l. *Hadingtoun*, 3384 l. *Berwick*, 3555 l. *Roxburgh*, 5778 l. *Selkirk*, 1278 l. *Pebles*, 1638 l. *Lanerk*, 5382 l. *Air*, 606 l. *Wigtoun* and Stuartrie of *Kirkcudbright*, 4374 l. *Drumfreis*, 4446 l. *Renfrew*, 2205 l. *Dumbartan*, 1233 l. *Argyle*, 2907 l. *Bute*, 459 l.

Follows the ſums payable Monethly by the Burrows, conforme to their taxt Roll, *viz.* *Edinburgh*, 5175 l. *Perth*, 810 l. *Dundie*, 1200 l. *Aberdene*, 1260 l. *Striveling*, 240 l. *Linlithgow*, 324 l. S. *Andrews*, 780 l. *Glaſgow*, 1530 l. *Air*, 342 l. *Hadingtoun*, 324 l. *Dyſert*, 270 l. *Kirkcaddie*, 600 l. *Monroſe*, 324 l. *Cowper*, 216 l. *Anſtruther* eaſter, 180 l. *Drumfreis*, 270 l. *Innernes*, 450 l. *Breechen*, 120 l. *Irwing*, 252 l. *Elgine*, 135 l. *Jedburgh*, 126 l. *Kirkcudbright*, 80 l. *Wigtoun*, 135 l. *Pettinweyme*, 120 l. *Dumfermline*, 162 l. *Dumbartan*, 162 l. *Renfrew*, 90 l. *Lanerk*, 162 l. *Aberbrothok*, 81 l. *Brumtiland*, 216 l. *Pebles*, 108 l. *Carrail*, 216 l. *Kinghorn*, 108 l. *Tayne*, 90 l. *Selkirk*, 126 l. *Anſtruther* weſter, 54 l. *Culros*, 90 l. *Dumbar*, 180 l. *Bamfe*, 72 l. *Whithorn*, 45 l. *Forfar*, 27 l. *Rothſay*, 60 l. *Forres*, 54 l. *Rutherglen*, 45 l. *Northberwick*, 36 l. *Culane*, 27 l. *Narne*, 36 l. *Lawder*, 45 l. *Innerkeithing*, 90 l. *Kilrynnie*, 27 l. *Annand*, 30 l. *Lochmaben*, 18 l. *Sanquhare*, 27 l. *Galloway*, 90 l. *Dingwall*, 18 l. *Queensferrie*, 108 l. *Dornoch*, 10 l.

And for the better inbringing and collecting of the foreſaids ſums of Money, for payment and intertainment of the forces abovewritten, as well Officers as Souldiers, The Eſtates of Parliament Nominates and Appointes the ſaid Sir *John Weemes* of Bogie General Commiſſar, Theſaurer, or Collector of this Kingdome for the ſaid Army, with power to him to appoint Deputes one or moe in each Shire: And that other Collectors in ſuch Burghs and Pariſhes be appointed by him in ſuch like manner,

manner, as is contained in the Act of Loan and Taxt; which Collector-deputes as wel of Shires as Parishes, and Clerks of Shires for that effect, shall have such Fees as is allowed in the Act of Convention, made anent the in-gathering of the Loan and Taxt, and that to be uplifted out of the said Shires and Parishes within the same, by and attour the Monethly maintenance, and the Burghs to bee free, in respect they collect their proportions upon their own charges; And with power to the said Generall Commissar and Collector foresaid, to appoint a Clerk of Collection whom he shall be pleased to nominate, and for whom he shall be answerable: Which Clerk of collection so to bee appointed by him, shall have the sum of two hundreth Merks Sterling, to be payed out of the said Monethly maintenance for his paines and charges which hee must undergoe in collection of the Moneths maintenance above written: And it is Declared, and Ordained, That the Letters and Charges to follow upon this present Act, for implement of every Head and Article thereof, shall bee raised and direct at the instance of the said Sir *John Wemes* Generall Commissar and Collector foresaid, against the Subcollectors of Shires, Magistrates of Burrows, Collectors of Parishes, Heritors, Fewars, Liferenters, and others adebted in payment of their severall proportions of the maintenance now imposed, with reservation of the suspensions underwritten, in the same manner, and with the same provisions and certifications as is contained in the Act of convention of Estates made for the Loan and Taxt, and that they have Letters of relief as is ordained by the said Act of convention.

And for the more speedie ingathering of this Maintenance: It is ordained, if any Shire, Burgh, or Person therein designed, be deficient in payment of their Monethly proportion, That the said Generall Commissar shal have Power, Authoritie, and Warrand, to raise in each Shire eight or ten Troupers to be intertained at the ordinary rates, and present establishment to be payed to them by the deficients, by and attour their proportionable Maintenance; And ordaines the Committee of War within each Shire *respectivè*, to be aiding and assisting to the said Thesaurer, both in furnishing of Troupers, and inbringing the Maintenance: Or otherwise, The Estates of Parliament hereby gives him power to require Orders from the Generall Officers, that they would command such a number of their neareſt lying and adjacent Souldiers, Horse or Foot, as he shall demand, to repaire unto him and be directed by him, for inbringing and uplifting of that proportion of the said Maintenance which shall not be readily payed, and these to have free Quarters by direction of the said Generall Commissar or his Deputes in the severall Shires, upon the Deficient Shires, Burghs, or Persons, ay and while they make ready payment of their part of the said Maintenance: And the Estates ordaines the Generall Officers, to readily answer the said Thesaurer his desire foresaid.

And becauſe it is conceived by the Estates of Parliament, That sundry Shires or parts thereof, or Burghs, are burnt, wasted, or so ruined, that they are not able to make reall and ready payment of the aforesaid Summes imposed upon them for the Maintenance; Therefore untill some

ſome tryall be made of their true condition, They have thought fitting to grant ſuſpenſion: Likeas, they hereby do ſuſpend the exaction of the particular ſummes underwritten from the Shires and Burghs following, In manner, and conforme to the limitations aftermentioned, *viz.* From the ſheriffdome of *Innernes*, 2000 l. From the ſheriffdom of *Sutherland*, 200 l. From the ſheriffdome of *Nairne*, 315 l. From the ſheriffdome of *Elgine*, 1000 l. From the ſheriffdome of *Aberdene*, 6543 l. From the ſheriffdome of *Bamf*, 1431 l. From the ſheriffedome *Kincardine*, 400 l. From the ſheriffdome of *Forfar*, 500 l. From the ſheriffdome of *Perth*, 3000 l. From the ſheriffdome of *Sterling*, 1200 l. From the ſheriffdome of *Kinroſe* Shire, 72 l. From the ſheriffdome of *Dumbartan*, 633 l. From the ſheriffdome of *Argile*, 2907 l. From the ſheriffdome of *Bute*, 459 l. *Item*, for the Burrows, *viz.* From *Perth*, 500 l. From *Aberdene*, 1160 l. From *Sterling*, 80 l. From *Innernes*, 450 l. From *Breechen*, 110 l. From *Elgine*, 80 l. From *Dumbartan*, 162 l. From *Bamf*, 72 l. From *Rotheſay*, 60 l. From *Culane*, 27 l. From *Nairne*, 36 l. From *Tain*, 40 l. From *Forfar*, 27 l. From *Forres*, 54 l. From *Darnoch*, 18 l.

Of the which ſums immediatly abovewritten hereby ſuſpended, It is declared, That the Generall Commiſſar or his Deputes, ſhall tune no exaction nor payment before the tenth of May next to come for ſuch Shires and Burrows as are beſouth the water of Dee, and the tenth day of June next for the Shires and Burrows benorth the water of Dee, Betwixt and the which time the Shires and Burghs who have not already taken out Commiſſions, are appointed hereby to take out Commiſſions from the Parliament, or any Committee eſtabliſhed or to be eſtabliſhed by them, for cognition of the loſſes direct to ſuch as they reſpectively ſhall nominate to try and report; That the Lands and Burghs are burnt and ſo waſted, that they are totally diſabled to pay rent, or if they be able to pay any rent, that they ſhall pay proportionable Maintenance which ſhall bee reported to the Parliament or their ſaid Committee. That accordingly as they allow or diſallow thereof, the foreſaid ſuſpended part of the Maintenance may be payed or diſcharged. And in caſe of the delay or failzie of the Commiſſioners for Shires and Burghs to take out the ſaids Commiſſions and make the report before the day prefixed, The Generall Commiſſioner is hereby warranted to charge them for the whole Maintenance, without conſideration of the foreſaid ſuſpenſion: And for the greater evidence herein, It is ordained, that betwixt and the firſt of April next to come, the valuers of theſe Shires whereof any part of the Maintenance is preſently ſuſpended, Shall deliver to the ſaid General Commiſſar, or any Collector whom he ſhall appoint in each Shire *reſpectivè*, a particular liſt and accompt of theſe Lands whereupon that part of the Maintenance preſently payable without ſuſpenſion is impoſed: With certification to the ſaids valuers, in caſe of failzie of performance hereof before the ſaid day, They ſhall be ſubject in payment of that part of the Maintenance, which is payable without ſuſpenſion.

Item, It is ordained, That the Moneths Maintenance payable betwixt the tenth of Februar laſt by paſt, and the tenth of March next to come

Shall

Shall bee really payed, without any deduction for Quarterings in that time, But that the Quarterings of the new modelled Army and no others disbanded, shall bee allowed in the first end of the maintenance for the subsequent Moneths after the said tenth day of March, and that the same shall be deduced and discounted by the Generall Commissar to the Heritors, Fewars, or Liferenters of the first of their Maintenance, payable by them *respective*, after the said tenth day of March, and thereafter to bee charged by the said Generall Commissar upon the Regiment accounts, for the Moneths subsequent to the said tenth day of March: It is alwayes provided, That these Quarterings shall bee proven and instructed, conforme to the Acts of Parliament made or to bee made thereanent.

Further it is enacted, statute and ordained, That every debter shall have retention from the Creditor of the quantity of one and a halfe of each eight payable for anualrent; So that the debter shall onely be lyable in payment of six and an halfe of anualrent of ilk hundreth of Stock, and that from the terme and time of Lambmesse, 1646. To the terme of Lambmesse next to come, 1647. And so forth proportionably thence to the last day of October next thereafter following; With this declaration and provision alwayes, That no Person Debter whatsoever, shall have the foresaid benefit of retention, who shall not pay his anualrent to the Creditor within the space of ane year out run, after that ane preceiding years anualrent is fully restand awand unpayed: And it is declared hereby, That whatsomever Debter hath been payed their anualrents of eight *per centum* before the date hereof, at the feasts of Martimesse, or Candlemesse now last by past, Shall have deduction of the Creditor in their next tearmes anualrent, of so much as is ordained by this present Act to be deduced from Lambmesse last bygone, to the said time of the payment of the said anualrent: And it is also hereby specially provided, That whatsoever Creditor shall take hereafter, Band, Promise, or Contribution from his Debter, for payment to him of the hail anualrent at eight *per centum*, without retention or allowance of the said deduction of the ane and a halfe for the hundreth, during the time prescribed by this Act, Or shall not grant the retention foresaid, Shall be conveened and censured as ane usurer, notwithstanding of any such paction word or writ.

And sicklike, It is Declared, Statute, and Ordained, That no retention of this present Maintenance shall be granted for any Debts, Cause, or occasion whatsomever, and that no exemption other nor is above-written for burnt or wasted Lands, as is formerly expreſt, shall be granted from this present Act and Ordinance to any Person or Persons; Except onely for Lands, Rents, Anualrents, and other duties mortified to Colledges, Schooles, Hospitals, Ministers and Schoolmasters Stipends, and for upholding Kirks and Bridges; But that all other Heritors, Liferenters, Takſmen, Titulars, Proper-Wodsetters, Pensioners, Conjunct-fee, Ladytercers, and others subject to the valuation within Shires and Stewartries, shall be lyable to their proportionable part of this Maintenance, conforme to the Act already made hereanent in this Session of Parliament,

ment, of the date the tenth day of December laſt by paſt: And that the Lands and Teinds ſhal pay as they lye locally in Shires or Burghs, Conform to the Act of convention for the Loane and Taxt, and former Act of Maintenance.

And laſtly, Where there is any wrong done in valuation, The ſaids Eſtates appoints the valuers of each Shire or *Quorum* thereof, or of ſo many as are on life, and not cenſurable by the Act of Parliament anent the Claſſes, To meet and rectifie the ſame at any time and place as they ſhall appoint: Declaring alwayes, That this warrand for a new valuation ſhall be no hinderance nor diminution to the Maintenance preſently impoſed: and where there is not a full *Quorum* of the valuers on life and not cenſurable, That the number be ſupplied by the Parliament or Committe of Eſtates. And for the Burrows part, it ſhall be rectified and changed according as their Taxt Roll ſhall be altered, there being no diminution of the totall ſumme: And further, It is ordained, That no ſuſpenſion be granted without conſignation, as is appointed by the Act of Maintenance of the 27 of Februar, 1645. And that all Heritours within Burghs and Pendicles and Liberties thereof (including for *Edinburgh* as Pendicles thereof, the Houſes Tenements and Yeards, in *Leith*, *Cannongate*, and *Pleaſance*, Whereof the Town is either Proprietors, or Superiors, and for the other Burrows all that hath beene in uſe to bee Taxt with them) Shall contribute with them for paytment of the Maintenance, conform to thir two clauſes of the ſaid Act, which are holden as inſert and repeated in this preſent Act; But Prejudice of the Lords of Seſſion their Priviledges, conforme to the former Acts of Maintenance: And ordaines this preſent Act to be Printed: As alſo, Ordains the foreſaid Act of the convention of Eſtates, anent the Loane and Taxt to bee reprinted.

ACT XVIII.

Act anent the eſtabliſhment and pay of the Armie.

29. February 1647.

THe Eſtates of Parliament now conveened in this ſi Seſſion of the firſt Triennial Parliament, Having ken to their conſideration the overtures repreſente them by the Generall Officers of theſe Forces, no be imployed anent the particulars aftermentioned, cerning the good of the ſervice, and proviſion and of the Officers and Souldiers.

Firſt, The Eſtates ordaines and appoints, That there be ſeven niſters ſent with the ſeven Regiments of Foot, and three Miniſte the Generall Officers and Troups of Horſe, which being recomm

to the Commiſſion of the Kirk, they promiſed to provide Miniſters accordingly.

2. The Eſtates ordaines the Generall Commiſſar or ſome ſuch of his Deputes as he ſhall appoint, to remain conſtantly with the Army.

3. The Eſtates ordaines foure moneths proviſion of Meal to bee preſently provided for the Foot Armie, which they eſtimate at two pound of Meal in the day to ilk Souldier of ſix thouſand, To twelve thouſand bols Meal: And appoints the places for keeping the ſame Magazine of Meal, to be in *Innernes*, *Dundie*, *Pearth*, *Blair* of *Athole*, *Dumbartoun*, *Innerary*, and *Dunſtafnage*, According to this proportion, *viz.* Two thouſand bols Meal at *Innernes*, foure thouſand bols at *Dundie*, *Pearth*, and for the *Blair* of *Athole*, two thouſand bols at *Dumbartan*, two thouſand bols at *Innerary*, and two thouſand bols at *Dunſtafnage*: And in the meane time ordaines theſe three thouſand bols Meal which the Lord *Humbie* declares is come from *England*, to be received by the Generall Commiſſar or his Deputes, and ordaines him to provide Ships and Barkes for tranſporting and ſending of two thouſand bols thereof to *Innernes*, and a thouſand bols to *Sutherland*: And the Eſtates ordains the Lord *Humbie* to be payed of his ſuper expences of his Scots accounts, conforme to the Act of Parliament granted to him for aſſurance thereof; Which they ordain to ſtand and have effect for his payment, notwithſtanding of any act made or to be made in the contrare, which the Eſtates hereby declares ſhall no wayes derogate to the Lord *Humbie* his Act and payment.

4. The Eſtates Ordaines the Generall Commiſſar to cauſe provide a reaſonable number of Pans as ſhalbe neceſſar for the Foot Souldiers.

5. The Eſtates nominates, appoints, and ordaines General Major *Holburn* to be Generall Major of the Regiments of Foot, under Generall Major *Middletoun*, who is Generall Major both of Horſe and Foot, And ordaines Generall Major *Holburne* to receive orders from the ſaid Generall Major *Middletoun*.

6. Becauſe intelligence is neceſſar, and it is uncertaine what ſhall bee deburſed by the Commander in chief upon intelligence: The Eſtates ordains that what ſhall be given upon account as deburſed by the Commander in chief upon intelligence, to be repayed to him.

7. The Eſtates ordaines that there be threeſcore twelve Souldiers out of every Regiment of ſix Regiments of Foot commanded to carry Halberts, with back, breaſt, and head-peeces, and allowes to every one of theſe two ſhillings Scots of pay daily, more then the ordinar Foot Souldier gets, providing they conſtantly carry their Arms foreſaid for the ſervice as they ſhall get orders, otherwiſe they are not to get this augmentation: And recommends to the General of Artillerie the furniſhing of thir men with the Arms above ſpecified.

8. The Eſtates ordaines the Wives and Children of the Rebels, Enemies to the Kingdome (except ſuch Children are as foriſfamiliat, and Wives and Children as have not adheared to the courſes of their Huſbands and Fathers that are in the rebellion) to be ſent to their ſaids Husbands and Fathers where ever they march.

9. The Eſtates ordaines the Wives or Children of the deceaſt Souldiers in the Service to get payment of their arreares.

10. The Eſtates ordaines ane Committee to be appointed, to think and condiſcend upon ſome courſe for ſupply of the lame Souldiers in the Service.

11. The Eſtates ordaines the Lieutenant Generall his Dragooners to be keeped up, and made up threeſcore ten ſtrong, and reduces the other two Companies of Dragooners to the like number, *viz.* Ilk one of them to threeſcore ten.

12. The Eſtates for the good of the Service and ſubſiſtance of the Officers and Souldiers, Ordaines and appoints that there be ane Proveſt Marſhall, with his Executioner to be appointed for the Army.

13. The Eſtates gives power to the Generall Officers by themſelves, to give Battell to the Rebels, and to purſue all advantages againſt them, as the ſaids Generall Officers who commmands in chief upon the place ſhall think fit.

14. The Eſtates allows ane baggage Horſe upon ilk twenty Souldiers, with ane man for ilk two baggage Horſe; And appoints the man to have daily five ſhillings for himſelf, and four ſhillings for the baggage Horſe daily for the Moneths of March and April, and thereafter two ſhillings daily for the baggage Horſe, And modifies fiftie Merks for the price of the baggage Horſe, to be given to the Colonel of the Regiment, and delivered by him to the Captaines of the ſeverall Companies, who are hereby ordained to uphold the ſaids baggage Horſes; And ordains the Generall Officers to view the baggage Horſes that they bee anſwerable to the foreſaid price, and the numbers thereof made up.

The Eſtates for encouraging the Officers and Souldiers, and for the good of the Service, Ordaines that the haill Officers to Horſe and Foot ſhall have full Scottiſh pay, And the Trouper foureteene ſhillings daily, the Foot Souldier five ſhillings daily in Victuall and Money.

Item, The Dragooner ſhall have ten ſhillings daily, And the Officers to the Dragooners to have a third more nor is expreſt in the Act of Parliament of the 19 of November, 1646.

Item, The Eſtates allows to the Quarter-maſter Generall, To have ane Root-maſters pay, with allowance alſo to him of ane Lieutenant, who is to have the pay of ane Lieutenant to Horſe.

Item, The Eſtates allows to the Adjutant ane Root-maſters pay.

Item, The Eſtates allows three Chirurgians to the haill Troups of Horſe, and ane Chirurgian to each Regiment of Foot, As alſo allows ane Smith to each Troup, And allows three Sadlers for the haill Troups.

Follows the eſtabliſhment of the pay to the Officers and Souldiers Horſe and Foot.

Ane Colonel of Foot *per menſem*, 333 l. 6 s. 8 d. Lieutenant Colonel of Foot *per menſem*, 200 l. Major of Foot *per menſem*, 133 l. 6 s. 8 d. Regiment Scriver *per menſem*, 30 l. Regiment Quarter-maſter *per menſem*, 45 l. Miniſter *per menſem*, 40 l. Chirurgian *per menſem*, 45 l. Drummer Major *per menſem*, 18 l. Proveſt Marſhall *per menſem*, 18 l. Six Captaines

ptaines of Foot *per menſem*, 600 l. Six Lieutenants of Foot *per menſem*, 270 l. Six Enſignes of Foot *per menſem*, 216 l. Twelve Serjeants *per menſem*, 180 l. Six Captains at Armes *per menſem*, 90 l. Eleven Drummers *per menſem*, 132 l. Eight hundred common Souldiers at 5 s. *per diem*, is *per menſem*, 6000 l.

Ane Root-maſter *per menſem*, 150 l. Lieutenant to Horſe *per menſem*, 67 l. Cornet *per menſem*, 54 l. Quarter-maſter *per menſem*, 45 l. Three Corporals *per menſem*, 108 l. Two Trumpeters *per menſem* 60 l. Fourſcore Troupers at 14 s. *per diem*, is *per menſem*, 1680 l. Ane Smith to each Troup *per diem*, 18 s. Three Sadlers to the haill Troups, to each Sadler *per diem*, 18 s.

Ane Captaine of Dragooners *per menſem*, 101 l. 5 s. Enſigne to the Dragooners *per menſem*, 45 l. Lieutenant of Dragooners *per menſem*, 56 l. 5 s. Two Serjeants *per menſem*, 51 l. Three Corporals *per menſem* 67 l. 10 s. Ane Drummar *per menſem*, 22 l. Threeſcore ten Dragooners at 10 s. *per diem*, is *per menſem*, 1050 l. *Item*, allowing ane Secretar to each of the Generall Officers, And appoints to the Secretar for the Generall, and Lieutenant Generall, to each of them 100 l. *per menſem*, And to the Generall Majors Secretar *per menſem*, 100 Merks.

Follows the eſtabliſhment of the pay for the Generall Commiſſar and his Deputes.

To the Generall Commiſſar *per menſem*, 1000 Merks. To ane Depute Commiſſar for proveant *per menſem*, 240 l. To ane other Depute Commiſſar for keeping the Caſch *per menſem*, 360 l. To ane ſervand keeping the Caſch and Book *per menſem*, 72 l. To two ſervants under the proveant Maſters, each ſervant of them *per menſem*, 60 l.

And the Eſtates appoints and ordaines the Generall Commiſſar and his Deputes, to bee Muſter-Maſter of the haill Forces, And that they doe exact dutie thereuntill; And that this bee inſert in the Generall Commiſſars Commiſſion.

Follows the traine of Artillerie and pay thereof.

And ſiclike, The Eſtates having taken to their conſideration, the traine of Artillerie and proviſion thereof, They ordain and appoint, ane hundred and twenty Horſe for carrying of Ammunition, field Pieces, mortars, and materials: and modifies the price of each of the Horſes to 40 l. *inde* 4800 l. *Item*, Threeſcore men, being ane for each two Horſe, at the rate of ane Trouper, which is *per diem* to each Man and two Horſe 14 s. *Item*, They ordain that *John Forreſt* Bowyer be agreed with for three thouſand Pickes, that the ſame bee preſently headed, and remits to the Committee for moneys, and Generall Commiſſar to agree with *John Forreſt*, and ſatisfie him for the ſame.

Item, Concerning the Magazine, and keeping thereof, The Eſtates appoints that the Caſtle of *Edinburgh* ſhall be the place where the ſame ſhall be keeped, and remits to the Committee for moneyes to conſider the keepers, and condiſcend upon their allowance.

Item, The Eſtates finds it neceſſar that 600 or 400 Halberts be provided, and deſires the Town of *Edinburgh*, and the reſt of the Burrows to provide the ſame, and ordaines *Archibald Sidſerfe* to make ſearch for

for the ſaids Halberts, And ordaines the Generall Commiſſar to take order for payment thereof: And ordaines, that proviſion be preſently ſent to the *Blair* of *Athol*.

Item, The Eſtates Ordains, That ſix Field Pieces be ſent to the Randevous at *Montroſe*, with Ball and other furniture: And that new carriages be provided and ſent to the five Pieces which are at *Fyvie*, with Ball correſpondent, which will be ſufficient for the Service. And Ordaines Lieutenant Colonell *Hammiltoun* to go along to command the Train after-ſpecified, *viz*. Ane Gentleman or Quarter-Gunner, Ane Cariage Maſter, the Commiſſar and Quarter-maſter to bee ane for all, with two Clerks, ſix Cannoneirs, and ſix Mates, two Work maſters, or Ingenires, ane Pittardeir, and a Servant, two Carpenters, and ane Cowper, a Smith, and two Myners, at the rate ſet down in the eſtabliſhment following, *viz*. The Lieutenant Colonel *per menſem*, 200 l. as Lieutenant Colonell, And ane hundred pound *per menſem*, for ane Captains pay. *Item*, To the Captain Commiſſar and Quarter-maſter, being all one *per menſem* 100 l. To ane Gentle-man or Quarter-Gunner *per menſem*, 45 l. To a Carriage-maſter *per menſem*, 45 l. To two Clerks, each of them *per menſem*, 22 l. 10 s. To ſix Cannoneirs each of them *per menſem*, 27 l. To ſix Mates each of them *per menſem*, 18 l. To two Work-maſters each of them *per menſem*, 24 l. To ane Pittardeir *per menſem*, 45 l. To his Man *per menſem*, 18 l. To two Carpenters each of them *per menſem*, 27 l. To ane Cowper *per menſem*, 27 l. To ane Smith *per menſem*, 27 l. To the Smiths Man *per menſem*, 12 l. To two Myners each of them *per menſem*, 27 l. To the Proveſt Marſhell *per menſem*, 45 l. To his Lieutenant *per menſem*, 30 l. To two Servants *per menſem*, 18 l. betwixt them, each of them 9 l. *per menſem*. And to ane Executioner *per menſem*, 12 l.

And als the Eſtates of Parliament taking to their conſideration the Generall Officers their charges *reſpectivè* in the foreſaid Army, They appoint their pay and ſatisfaction to be as followes, *viz*. They Ordain and Appoint, the ſumme of ten thouſand merks to bee given and payed yearly to *Alexander* Earle of *Leaven*, Lord Generall, during the imployment of the Army againſt the Rebels, and if the Parliament or their Committee ſhall command his Excellence to go in Perſon to the Fields, his charges to be taken in conſideration.

Item, They ordain the Lieutenant Generall *David Leſly*, to have Ane thouſand pound Monethly, by and attour his penſion. *Item*, Ordaines Generall Major *Middletoun* to have twelve hundred merks Monethly. And ordaines Generall Major *Holburn* as Generall Major and Colonell to have ane thouſand merks Monethly.

And the ſaids Eſtates ordaines the preference of the command of the Troups to be ordered by the Generall Officer Commander in chief preſent for the time, as he ſhall think fitteſt for the ſervice and content of the Officers, according to the ſeverall occaſions of imployment, without Regimenting or putting of them in conſtant ſquadrons.

As alſo ordaines the Generall Officers to reviſe the Articles of diſcipline of War, with advice of Maſter *Robert Dowglas*, M. *Mongo Law* and

and ane Ruling Elder, in respect there is many particulars contained therein, which concernes the Church and Discipline thereof. And ordaines them to report to the Parliament.

Follows the rates and prices of Vivers.

And lastly the Estates of Parliament, for eschewing of abuses, and exacting of extraordinary prices fra the Officers and Souldiers, They modifie the prices following to be taken for the particulars after-specified, *viz.* For ane Bow Aits, 4 l. For Strae in the night, 2 s. and if they stay 24 hours to pay no more. And for Hay, 3 s. For the pint of Ale to be according as it sells in the severall places, or hes sold before the Armies coming there, not exceeding sixteen pennies. For oat-bread being 20 ounce, and wheat-bread 16 ounce, each of them 12 d. For ane sheep on foot, the price 50 s. For the bowk 40 s. For the Lamb 18 s. For the Kid 20 s. For the Kow on foot 13 l. 6 s. 8 d. For ane pound of cheese 20 d. For the pound of butter 3 s. 4 d. And ordaines the milk to be of the price of the Ale. For ane Capon 6 s. For ane Hen or Cock 4 s.

And declares, that the Table above-written of the rates and prices above-specified, is to be payed in the prefent transient Quarters to the Randevous, And thereafter to be rates and prices for the bounds be-north Tay: And to be changed as the Generall Officers and Committee with the Army (if there be Committee) shall think fit.

ACT XIX.

Act against Run-awayes, and their Resetters.

25. *February* 1647.

THe Estates of Parliament taking to their consideration the prejudice that the publike Service of the Kingdom is likely to sustain, by the running away of these Souldiers, Horse and Foot, that are inrolled in the Companies, Regiments, and Troups, now imployed and keeped up for the Service from their Companies and Colours, whereof they are inrolled as Souldiers and Troupers: The Estates for remeid hereof, do hereby Ordaine and Command all these Souldiers, Foot or Horse, who are inrolled to be of the foresaid new Army, keeped up and imployed for the Service of the Kingdome; To repair to their severall Troups, Regiments, and Companies *respectivè*, whereof they are Souldiers, betwixt and the sixt day of March next to come, under the pain of death: And als, The Estates statutes and ordaines, That whosoever shall reset any of the foresaids Souldiers, Horse or Foot, after these resetters knowes the saids Souldiers to be inrolled as Foot Souldiers or Troupers of the foresaid new Army, shall pay an hundreth pound Scots for ilk person reset by them, To be up-lifted and imployed for the use of the Publike. And farther, The Estates ordaines the Persons Resetters to be seized upon, to supply the Service in place of the Run-awayes

Run-awayes reſetted by them: And Ordaines the Commiſſioners for Shires and Burrowes, to acquaint the Committees of War of Shires, and Magiſtrates of Burghs herewith, and that they ſee thir preſents put to execution: And the Eſtates grants power to the officers of the Army, to do juſtice upon ſuch Run-awayes as they ſhal apprehend; And ordains thir preſents to be preſently Printed, and Publiſhed at the Market Croſſe of *Edinburgh*, and Copies delivered to the Commiſſioners of Shires and Burghs, to be Publiſhed at the Market Croſſes of the Head Burghs of the ſeverall Shires of the Kingdome, and Paroch Kirks within the ſame Shires: Which being ſo publiſhed at the ſaids Market Croſſes and Paroch Kirks, The Eſtates declares, ſhall have force and effect againſt all Reſetters of Run-awayes, after the foreſaid Proclamation hereof at the Market Croſſes and Paroch Kirks *reſpectivè*, where the Reſetters dwels, To make the Reſetters lyable for payment of the foreſaid ane hundreth pound for ilk Souldier reſetted by them.

ACT XX.

Act anent the inbringing of the firſt two Moneths Maintenance.

27. *February* 1647.

THe Eſtates of Parliament now conveened in this ſixth Seſſion of the firſt Trienniall Parliament, Gives warrand and command to the ſeveral Collectors of Shires and Burghs under-written, *viz.* To *John Falconer*, for the Sheriffdome of *Kincardine*: To *James Guthrie*, for the Sheriffdome of *Forfar*: To *Blair* of *Ardblair*, for the Sheriffdome of *Perth*: To *David Weemes* of *Balfarg*, for the Sheriffdomes of *Fife* and *Kinroſs*: To *Normand Levingſtoun* Portioner of *Falkirk*, for the Sheriffdome of *Stirling*: To *William Grahame* of *Hiltoun*, for the Sheriffdome of *Clakmannan*: To M. *Robert Hodge*, for the Sheriffdome of Middle *Lothian*: To M. *John Bruce* of *Vr*, for the Sheriffdom of *Linlithgow*: To *John Hepburn* of *Craig*, for the Sheriffdom of *Hadingtoun*: To *William Hume* of *Linthill*, for the Sheriffdome of *Berwick*: To *James Lithgow*, for the Sheriffdoms of *Roxburgh* and *Selkirk*: To *Cuthbert Smith*, for the Sheriffdom of *Pebles*: To *James Cuninghame* of *Coblehauch* for the Sheriffdom of *Lanerk*: To *William Wallace* of *Fail*, for the Sheriffdom of *Air*: To *Andrew Agnew*, Apparand of *Lochnaw*, for the Sheriffdom of *Wigtoun*: To the Laird of *Bargattoun*, for the Stuartrie of *Kirkcudbright*: To *William Levingſtoun*, for the Sheriffdome of *Drumfreis*: To M. *William Wallace*, for the Sheriffdom of *Renfrew*: To *William Noble* Fear of *Ardardan*, for the Sheriffdom of *Dumbartan*: To for the Sheriffdom of *Orknay* To for the Sheriffdom of *Innernes*: To

To for the Sheriffdome of *Caithnes*: To for the Sheriffdome of *Cromartie*: To for the Sheriffdome of *Sutherland*: To for the Sheriffdome of *Nairn*: To for the Sheriffdome of *Elgine*: To for the Sheriffdome of *Aberdene*: To for the Sheriffdome of *Banf*, To ingather and up-lift the two Moneths Maintenance, for the Moneths betwixt the 10. of January last, and the 10. of March next to come: And to deliver so much of the first Moneths Maintenance as is already assigned for disbanding of the Army, To the Commissioners of Shires and Burghs who have already under-taken for payment thereof, and to deliver the superplus of the said first Moneth not assigned, Together with the whole second Moneths Maintenance to the General Commissar, And that betwixt and the 10 day of March next to come, That the same may be then delivered to the Army at their Randevouz, conforme to the former orders of Parliament. And for the said Collectors more sure and speedy in-gathering thereof, The Estates gives power and warrand to the said Collectors and every one of them, To raise eight or ten Troupers in every Shire, for poinding and distreinzing all Deficients and Delayers of payment of their parts of the two Moneths Maintenance above-specified: And this with speciall declaration, That the present nomination of Collectors for thir two Moneths, Shall be but prejudice to the Generall Commissar, to continue them in their charge, or nominate others in their places, for collection of all publike dues payable to him for all other Moneths, after the two Moneths above-expressed: And ordaines this present Act to be Printed and sent to the foresaids Shires and Burghs.

ACT XXI.

Act anent these excepted from getting Pardon or Conditions.

4. *March* 1647.

THe Estates of Parliament having taken to their consideration what persons are to be excepted fra getting Pardon or Conditions granted to them, The said Estates findes and declares, That *James Grahame* sometime Earle of *Monrose*, is incapable of pardon: And that any power formerly granted to any generall Officers, or to be granted hereafter to them or others, authorized by the Parliament, did never extend, nor shall hereafter be extended to pardon the said *James Grahame*, and that there shall never be any conditions granted to him, nor any Treaty or Capitulation with or for him. And sicklike the said Estates of Parliament, findes and declares, That *Alaster Macdonald* shall have no Conditions: And likewise

wiſe that *James Gordoun* ſometime Lord of *Aboyne*, ſhall have no Conditions: As alſo findes and declares, That *George Gordoun* ſometime Marques of *Huntley*, *Lodowick Lindeſay* ſometime Earle of *Crawford*, and Sir *John Hurrie*, ſhall have no Conditions granted to them, or any of them. But the Eſtates findes, That *Lowes Gordoun* ſon to the late Marques of *Huntley*, may have ſome Conditions.

ACT XXII.

Act and Commiſsion anent the Exciſe.

10. *March* 1647.

THe Eſtates of Parliament now conveened in this ſixth Seſsion of the firſt triennial Parliament, taking to their ſerious conſideration, that the Maintenance already impoſed upon the ſeverall Shires and Burghs of the Kingdom, will not be ſufficient to entertain the Army which they are neceſsitate to keep up, for repreſsing of the Rebels and enemies of this Kirk and Kingdom, and for the incident charges of that Army; And finding no other way more juſt and equall, and leſſe prejudiciall to the Kingdome, for ſupply and making up the additionall charge for entertainment of the Army and incident charges thereof, Than the raiſing and uplifting of Moneyes by a regulate and well-ordered Exciſe. They therefore Statute and Ordaine, That the ſeverall rates of Exciſe after-ſpecified, Shall bee payed for all and every ane of the particular Commodities and others following, by and attour all Cuſtomes and others Dueties due and payable for the ſamine, *viz.* For ilk Boll of Malt Brewen in Ale or Beer ſtrong or ſmall, To bee payed by the Brewer thereof, 20 s. And the Brewers for their relief, ſhall have power to take up from the buyers for the Exciſe of ilk pinte of Ale or ſtrong Beer, two pennies, and of ilk pinte of ſmall Beer, ane penny. For ilk pinte of forraine imported Beer, to bee payed by the importer thereof, 12 d. For ilk pinte of French wine, 1 s. 4 d. For ilk pinte of Spaniſh Wine, Reniſh Wine, Canarie and Malvaſie, 2 s. 8 d.

Table of Exciſe.

And the Eſtates enacts and ordaines, That the Exciſe of the Wines already in the Vinters hands, be payed by the Vintner Monethly after the ſame is ſold, And that the Exciſe of the Wines already imported and yet in the Merchands hands unſold or hereafter to be imported, Be payed by the Merchand importer thereof, within the ſpace of ane Moneth after the ſame ſhall be ſold by the Merchand, and the Merchand importer of the Wines, Shall have hereby power to take up the Exciſe thereof from the Vintners. For ilk pint of Aquavitæ or ſtrong waters made within the Kingdom, To be payed by the maker thereof, 2 s. 8 d. And for Aquavitæ and ſtrong waters imported, ſold, and made uſe of within the Kingdom, In reſpect the ſame is prohibite and ought to be con-

cate, To exact the Excise for ilk pinte thereof, 6 s. 8 d. Without prejudice of the confiscation by the Kings Thesaurer and his Deputes according to former Acts. For ilk pound of Tobacco, To bee payed by the importer thereof, 2 s. For ilk Oxe, Kow, or Bull slain, of sixteen pound price or above, To bee payed by the slayer thereof, 20 s. For ilk Oxe, Kow, or Bull, slain under sixteen pound price, To be payed by the slayer thereof, 13 s. 4 d. For ilk Ox, Kow, or Bull exported, To be payed by the exporter thereof, 30 s. For ilk sheep slain, To be payed by the slayer thereof, 2 s. For ilk sheep exported, To be payed by the exporter thereof, 6 s. For ilk Stirke of eight pound price or above slaine, To be payed by the slayer thereof, 6 s. 8 d. For ilk Stirke under that price slain, To be payed by the slayer thereof, 4 s. For ilk Stirke exported, To be payed by the exporter thereof, 10 s. For ilk Calf or Goat slaine, To be payed by the slayer, 2 s. For ilk Swine, 6 s. For ilk Lamb or Kid slain, To be payed by the slayer, 12 d. For ilk Lamb or Kid exported, To be payed by the exporter thereof, 2 s. For the imported Merchand wares after-specified, *viz.* All cloath, baises, freeses, kairsayes, fearges, and all other cloath and stuffe made of wool: As also for all sorts of silk stuffes, worset and hair stuffes, or mixt stuffes of linen and wollen, hats and hatbands of all sorts, stockins of silk, worset or threed, silk ribbins, pearling lace and pasements of silk, silver, gold, worset or threed, hooks and pirns of gold and silver threed, cloath of gold and silver, cambrick, lawne, Holland cloath and stuffes, and all kinde of made work whatsomever, imported for sale, for ilk Twenty shillings worth thereof, 12 d. (Excepting herefra, boots and shoone imported, which are declared to be Excise free) To be payed by the Merchand importer; the ane halfe thereof within three Moneths after the importing of the same, and the other half within three Moneths thereafter: And that the Merchand importer within the space of fifteen dayes after the importing of the laids goods hereafter, Give up ane true entry thereof to the Commissioners, under the paine of confiscation of what is not given up: And for what is already imported, that these persons in whose hands the same is, within fifteen dayes after the proclamation hereof, Give up ane true inventar thereof to the laids Commissioners, under the paine of confiscation, and pay the Excise Monethly when the same is sold, upon oath. For ilk Twelve pounds worth of coals exported in Scots or English bottomes, To be payed by the Coal-master, 10 s. For ilk Twelve pounds worth of coals exported in forrain bottomes, To be payed by the Coal-master, 15 s. For all yarne exported either linen or woolen, ilk Twenty shillings worth thereof, To be payed by the exporter, For all Ruche hides exported, for ilk Twenty shillings worth thereof, To be payed by the exporter, 2 s. For sheep-skins exported, for ilk Twenty shillings worth thereof, To be payed by the exporter, 12 d. For all wool exported, for ilk Twenty shillings worth thereof, To bee payed by the exporter, 2 s. Without prejudice of the confiscation by the Thesaurer and his Deputes, Conform to the former Acts of Parliament. For ilk staine of tallon exported, for the Excise thereof, 20 s. Without prejudice of the confiscation thereof by the Thesaurer and his

Deputes, Conform to the former Acts. *Item*, For ilk Twenty ſhillings worth of goat skins exported, 12 d. And for ilk Twenty ſhillings worth of buck and deir skins exported, 2 s.

And the Eſtates declares, that the payment of the Exciſe abovementioned, for any of the particular commodities before rehearſed, which are prohibite and forbidden goods, to be exported, or imported, is and ſhall be alwayes but prejudice of the confiſcation thereof by the Theſaurer and his Deputes, conform to the former Acts made thereanent.

And further, the Eſtates findes, declares, and ordaines, That the foreſaid Exciſe appointed to be payed for Ale, Beer, and Fleſhes, as is before ordained, ſhall onely be payable for that which is bought and ſold, and not for that which is Brewen and ſlain in mens own houſes for their private uſe and not for ſale: As alſo what is Brewen by Univerſities, or ſold to them for their drink, ſhall be likewiſe free of Exciſe.

Which Exciſe abovementioned, regulate in maner before rehearſed, and Collection thereof, The Eſtates declares, ſhall begin upon the twelfth day of March inſtant for the Wines, as alſo ſhall begin for all the other Exciſeable Commodities and goods foreſaids within the whole bounds both to Burgh and Landward upon the ſouth ſide of Tay, upon the twentieth day of March inſtant, And upon the thirtieth day of the ſaid moneth of March inſtant, for the whole bounds foreſaid upon the north ſide of Tay, and ſhall only continue and endure while the firſt day of January next, 1648. excluſive, after the beginnings thereof *reſpectivè* foreſaid.

And the ſaids Eſtates, ordaines the ſumme of fourſcore thouſand merks *per menſem*, of the firſt and readieſt of the foreſaid Exciſe moneys during the ſpace abovewritten, to bee imployed to make up and ſupply the additionall charge of the entertainment of the Armie, and incident charges thereof, with the foreſaid Maintenance already impoſed: And ordaines the ſuperplus of the Exciſe moneys to bee imployed for payment of bygone Quarterings, the Gilders and ſilverwork yet unpayed, if any be, and for payment of the anualrents of the borrowed moneys addebted by the publike, upon publike ſecuritie: And ordaines the ſamine ſuperplus of the Exciſe moneys, to bee allowed for theſe cauſes *reſpectivè*, after compt and reckoning made thereanent, and after the ſaid ſumme of fourſcore thouſand marks *per menſem*, deſigned for the ſupply of the entertainment of the Armie, and incident charges thereof, ſhall be firſt compleatly payed *per menſem*.

Commiſſion for the Exciſe. And the ſaids Eſtates of Parliament finding it neceſſar that a Commiſſion be given to ſome able perſons who may have the ſole and onely ordering and mannaging of the ſaid Exciſe: They have nominate, appointed, and made choiſe of, And hereby nominates, appoints, and makes choiſe of *David* Earle of Southesk, and *Robert* Lord Burghley for the Noblemen, Sir *Michael Balfour* of Deanemylne, and Maſter *George Dundas* of Maner for the Barons, *George Jameſon* Proveſt of Cowper, and *George Gairden* Burgeſſe of Bruntiland for the Burrows, to be Commiſſiones for the Exciſe. And the ſaids Eſtates, do hereby give grant

grant, and commit full power, warrand, and Commission, to the forenamed persons, or any four of them, as a *Quorum*, there being one of ilk estate, to have the sole and only ordering and mannaging of the Excise, And to nominate and appoint Collectors, ane or more for Presbyteries or Shires, as they shall think fitting, and to remove, alter, and change them alse oft as need is, and to make and set down all such Acts and ordinances as they shall finde necessar and expedient for the furtherance of the service, and to see the same put to due execution; And to call for, and receive in, the compts of the whole Excise of this Kingdome, and to fit and allow the same, and to appoint and ordaine the whole Excise moneys to be payed and delivered in to *James Stuart* Thesaurer or Generall Collector of the Excise, who is onely to disburse and give out the same again, as he shall bee warranded by precepts direct to him by the saids Commissioners, and by these six of the Committee of Estates who are to be adjoyned to them as Commissioners with them, for ferming of the Excise, the *Quorum* of both joyned together for ferming & granting of the saids precepts, is hereby declared to be seven, there being two of ilk estate, To whom the saids Estates of Parliament do hereby give and commit the sole and onely power of the granting and subscribing of the saids precept: With power also to the said six Commissioners for the Excise, hereby nominate as said is, or any four of them as a *Quorum*, there being one of ilk estate, to call before them all persons who shall happen to violate or transgresse any of the Acts and ordinances made or to bee made anent the Excise, or who shall happen to doe or offer any wrong or injurie to the Collectors, Messengers of arms, or any others persons, who are or shall be imployed in the Excise, and to censure and punish them as their fault deserves: As likewise to grant and direct forth letters of Horning, Poynding, Caption, & all other letters and executorials necessar and requisite for payment of the said Excise tak-duties thereof, and for the speedy ingathering and uplifting of the samine, and for fulfilling of all Acts and ordinances made or to be made thereanent, and of the bands given, or to bee given by the Collectors and their Cautioners, or by the Fermers and their Cautioners, and in like manner to grant suspensions upon good reasons of the charges of Horning to be used for payment of the Excise, and to decide and discusse the saids suspensions, and alse to discusse, decide, and determine all actions, questions, and controversies that may arise betwixt party and party, or betwixt any party and the Collectors or Fermers anent the Excise, and to pronounce decreet and sentence therein, and to direct forth all Letters and executorials necessar and requisite thereupon, and to do and perform every thing concerning the said Excise, ordering and mannaging thereof.

And sicklike, The saids Estates of Parliament do hereby, give, grant, and commit to the saids Commissioners for the Excise, and to such six of the Committee of Estates as shall bee designed and appointed by the said Committee for that effect, *viz.* Two of ilk estate, whom the saids Estates of Parliament do hereby ordaine the said Committee of Estates to nominate and designe, and who being so nominate and designed, are

hereby

hereby joyned with the other six Commissioners abovenamed, to be Commissioners for the Excise, in the matter of ferming and granting of precepts allanerly, or to any seven of the saids whole twelve Commissioners as a *Quorum*, there being two of ilk estate, full power warrand and Commission to set in ferming the Excise of particular Burghs, Shires, Presbyteries, or Parishes, as they shall think fit; and the Excise of the whole Kingdome, in whole or in part, to such persons, and for payment of such dueties, and upon such conditions as may best conduce to the good of the publick, and can be had therefore, and to appoint dyets of roping for that effect, and to doe every thing necessar and requisite thereanent.

And also the saids Estates of Parliament, do hereby give, grant, and commit full Power, Warrand, and Commission to the six Commissioners abovenamed, herein nominate, or any four of them as a *Quorum*, there being ane of ilk estate as said is, to call for all bygone Excise, so far as hath been uplifted by the Collectors, either to Burgh or Landward, and the Excise of the Wines, where the samine hath been taken by the Vintners, and to use all kinde of execution necessar, for ingathering thereof, and to dispose and allow the same for the uses expresst in the Acts of Parliament alanerly, allowing alwayes the former assignements made by the Parliament in favours of any persons, Burghs, or Shires: And sicklike, to receive in, fit, and allow the counts of the bygone Quarterings, with the Bands, Acts, and Warrants granted by the publick, for payment of the gudlenes, pryces of the silver-work, and other publick debts: And with power to the saids Commissioners or *Quorum* thereof abovewritten, as is abovementioned, to grant precepts and warrands for payment of the saids bygone Quarterings, gudlenes, and prices of the silver-work, (if any be owing) and anualrents of the moneys addebted by the publick, out of the bygone Excise, and out of the new Excise, now condiscended to, The additionall sums for entertainment of the Army, being first satisfied out of the said new Excise, as is before prescribed and ordained.

And the saids Estates of Parliament do hereby ordain the foresaid six Commissioners herein nominate, to attend constantly upon the charge and imployment hereby committed to them; And in respect of their constant attendance, The saids Estates modifies and appoints for them the Monethly allowance following, to be payed to them out of the said Excise by the Thesaurer thereof, *viz.* To either of the saids two Noblemen, two hundred pound *per mensem*, To either of the saids two Barrons two hundred merks *per mensem*, And to either of the saids two Burgesses the summe of fourescore eight pound seventeen shillings eight pennies *per mensem*.

And the saids Estates of Parliament, do hereby ordain and appoint Sir *John Weemes* of Bogie Generall Commissar for the Army, and *James Stuart* Thesaurer of the Excise, to bee supernumerarie in this Commission, and to have place and vote therein.

And where the Excise shall not be fermed, The saids Estates of Parliament do hereby ordain, That the way of the Collecting thereof, shall be

be as follows, viz. The saids Estates hereby gives power and warrand to the Magistrates and Councell of the royall Burrows, and such as they appoint and be answerable for, to Collect and uplift the whole Excise within the bounds of their Burghs, Pendicles, and Liberties thereof, in manner and conform to the table of Excise, except what shall be fermed; And ordaines the saids Magistrates and Councell, and their Collectors, to do and use their exact and faithfull diligence thereanent, and to make count, reckoning, and payment of the whole Excise, within their Burghs, Pendicles, and liberties thereof, to the saids Commissioners for the Excise, at such times and dyets as they shall appoint for that effect: And for Landward, the saids Commissioners for the Excise have hereby power and warrand granted to them, to nominate and appoint Collectors, ane or mae as may be had, and as they shall think fit for ilk Presbytery or Shire who shall have power to substitute their Depute Collectors for Parishes as they shall finde necessar. *Anent the collecting of the Excise, And the Collectors thereof.*

And the saids Estates appoints and ordaines the Fee and allowance for the Collectors and their Deputes, alse well to Burgh as Landward, for their paines and charges, shall bee ten for ilk hundred of the Excise, to bee Collected and counted for by them: And ordaines that the whole counts of the Excise, alse well to Burgh as Landward, bee given up upon the oath and declaration of the Magistrates of the royall Burrows and their Collectors for the Burghs, and of the Collectors of the Shires or Presbyteries and their Deputes for Landward, that the counts are just and true, and nothing omitted nor concealed to their best knowledge, and that they have done their duty faithfully and honestly for the good of the publick.

Item, The saids Estates, hereby grants power and warrand to the fermers of the Excise, and to the Collectors thereof and their Deputes, alse well to Burgh as Landward, to enter the Sellers, Taverns, and Brewhouses of these persons lyable in payment of Excise, and to take up inventar of the Exciseable goods being therein, that the Excise thereof may be the better known and uplifted.

Item, The saids Estates ordaines, that all Brewers for sale within this Kingdome, and all importers of forraine Beer, shall weekly deliver to the Collector of that bounds where the same is Brewen or imported, a true and perfit list and inventar of the whole Malt so Brewen, and forraine Beer so imported, and weekly pay the Excise thereof, at the rates exprest in the table of Excise, wherein if they failzie, It is ordained, that they shall bee lyable and subject in payment of treble Excise, and the failzie herein, to be proven by witnesse, oath of party, or any other lawfull manner of way. *Ale and Beere.*

Item, The saids Estates ordaines, that all Maltmen and Millers, alse well to Burgh as Landward, shall weekly give up to the Collector of that bounds a true and perfit list and inventar upon oath, of the quantity of the Malt, made and delivered by ilk Maltman, and ground by ilk Miller, and the persons names to whom, and to whose use the same is made and ground, (except such Malt as shal be made and ground for private use without sale, and Malt exported forth of the Countrey) wherein if they failzie, *Maltmen & Millers.*

failzie, they being deſired thereto by the Collector, the Maltman or Miller ſo failzeing; is hereby ordained to pay for ilk boll of Malt ſo concealed, the ſumme of fourty ſhillings money, to be uplifted by the Collector, and counted for by him in his accounts for the uſe of the publike.

Item, The ſaids Eſtates of Parliament, doe hereby give and grant power and warrand to the Fermers of the Exciſe, and to the Collectors thereof, to conveene the ſaids Maltmen, Millers, and Brewers before ſuch of the Committee of War of the Shire, as ſhall bee nominate by the Committee of War for that effect in Landward, and before the Magiſtrates within Burgh, or ſuch as they ſhall appoint, or in caſe of their omiſſion or not meeting before the Sheriffe of the Shire, Stewart of the Stewartrie, or Baillie of the Baillierie and their Deputes, for giving up of the ſaid Malt, ſo weekly made, ground, and Brewen by the ſaid Maltmen, Millers, and Brewſters, upon their oathes, Which ſhall be brought in by the ſaids Collectors, with their accounts to the Commiſſioners for the Exciſe, for the better tryall of the quantitie of the ſaid Malt.

And the ſaids Eſtates of Parliament do hereby authorize and ordain the Committees of War of the Shires, to nominate and appoint ſome two or three of their number in ilk quarter of their bounds in Landward: And alſo authorizes the Magiſtrates within Burghs, or ſuch as they ſhal appoint for taking of the oathes of the ſaids Maltmen, Millers, and Brewſters, and of the Fleſhers, and other perſons lyable in payment of Exciſe upon the quantity of the Malt, made, ground, and Brewen, and of the Fleſhes, and others Exciſeable commodities, ſlain & vented within their bounds to be reported under their hands by the Collectors, to the ſaids Commiſſioners, together with a perfect liſt of the names of the whole Brewers, Fleſhers, and Vintners of Exciſeable Commodities within ilk Pariſh and Burgh, and the quantity of Malt, Fleſh, and other Commodities Brewed, Slain, and vented by ilk one of them weekly, ſubſcribed by the hand of the ſaid Committee of Warre, who ſhall be deſigned for that effect for Landward, and by the Magiſtrates within Burgh.

Malt tranſported to the Hielands.

Item, It is ordained, that the Exciſe of the Malt tranſported to the Hielands which is to be brewen and ſold, ſhall be payed by the buyers and tranſporters to the ſellers thereof, notwithſtanding that they buy the ſame upon truſt; Which ſellers of the ſaid Malt ſhall pay the Exciſe thereof weekly as the ſame is ſold by them, and ſhall give a Ticket to the buyers and tranſporters bearing the Exciſe to be already payed, which being produced to the Collector where the buyers and tranſporters live ſhall liberate them of the Exciſe, otherwayes they ſhall be layable in payment thereof.

Wines and Tobacco.

Item, The ſaids Eſtates of Parliament ſtatutes and ordaines, That all Merchands, Importers of Wines and Tobacco, within the ſpace of ſixteen dayes after the importing thereof for all Wines and Tobacco hereafter to be imported; And that all Merchands, Importers, Vintners, Retailers and others Perſons, in whoſe hands any Wine or Tobacco already imported now or within the ſpace of fifteen dayes after the publication hereof

hereof at the Crosse of *Edinburgh*; Give up under their hands, and upon their oath and declaration to the saids Commissioners for the Excise, Ane just and true inventar of the saids Wines and Tobacco, and pay the Excise thereof, Conform to the table, and in manner as is before mentioned; Wherein if they failzie, It is ordained, that they shall be lyable and subject in payment of the treble Excise, And the failzie to be proven, *ut supra.*

Item, The Customers and their Clerks are hereby ordained, To deliver to the Commissioners for the Excise, Fermers, and Collectors thereof, Ane just and true extract of the whole goods entred lyable to pay Excise weekly or monethly, and alse oft as they shall be desired thereto.

Item, It is ordained, That all makers of Aquavitæ or strong waters, shall once every fifteene dayes deliver to the Collector of that bounds where the same is made, Ane true and perfit list and inventar of the whole Aquavitæ and strong waters so made, and weekly pay the Excise thereof, as the same is sold: And alse, That all persons in whose hands any Aquavitæ or strong waters already made or imported now are, Give up the same to the Collectors of that bounds, within ten dayes after publication hereof, and pay the Excise thereof weekly as the same is sold; Wherin if the saids persons, makers of Aquavitæ or strong waters, or in whose hands the samine now are shall failzie, they shall bee lyable in payment of treble Excise, and the failzie to bee proven, *ut supra.* *Aquavitæ and strong-waters.*

Item, It is ordained, That all Coal-masters bee oblieged, to cause their Greeves at the loadning of any Ship or vessell with coals to be exported forth of the Kingdome, keep a book, wherein shall be insert the just price of the loading of the said Ship or vessel, with the name of the Ship, Master or Skipper, and the time of the loading thereof: Which book, or double of the samine shall be delivered to the Collector Monethly, upon the first Tuesday of ilk Moneth; And the Master and Owner of the Coal, at the least the Coal-greeve shal subscribe the said book, declaring upon his oath that the same is just and right; And the Coal-master shall pay the Excise accordingly: Wherein if he failzie, he shall bee lyable in payment of treble Excise, And the Coal-master for his relief shall have power to take from the buyer, the Excise of the Coals exported by and attour the price thereof. *Coal exported.*

Item, It is ordained, That all fleshers shall weekly give up upon oath to the Collectors, Ane just and true list and inventar of the whole fleshes slain by them, and pay the Excise accordingly, under the paine of trebling thereof, and the failzie to be proven, *ut supra.* *Fleshes.*

Item, It is ordained, That all exporters of Bestiall, Hides, Skins, Yarn, and other commodities exported lyable in payment of Excise, Give up the same to the Collectors before the exporting thereof, and pay the Excise under the pain of trebling the same, and the failzie to be proven, *ut supra.* And if these Commodities exported by Sea shall happen to be casten away upon Sea, or taken by Pirats, The Excise thereof being payed before the exporting, the same shall bee allowed to the pay- *Bestiall & others commodities exported.*

ers in their next Exciſe, upon the production of ane lawfull teſtificate bearing the loſſe of the ſaids goods: And it is declared, That this ſhall bee extended to all goods which ſhall happen to be caſten away upon Sea, betwixt port and port within this Kingdome.

Item, The ſaids Eſtates of Parliament do hereby ordain, that if any Perſon or Perſons lyable in payment of Exciſe ſhall conceal and not give up the ſame, or refuſe or neglect to pay the Exciſe thereof, or doe any thing contrary to the Acts made thereanent, They ſhall be lyable and ſubject in payment of treble Exciſe; Whereof two parts for the uſe of the publicke, And the third part to the party informer for his paines.

And the ſaids Eſtates of Parliament do hereby declare and ordain, That it ſhall be lawfull to poind for the double of the Exciſe, which ſhall not be payed before the expiring of the dayes of the charge to bee given for payment thereof, and that it ſhall not be needfull to take the goods poinded to the Market Croſſe of the Head Burgh of the Shire or other juriſdiction, But only to appriſe the ſame upon the ground where they ſhall be apprehended: Which the ſaids Eſtates declare to be ſufficient in this caſe.

And further, The ſaids Eſtates of Parliament do hereby warrand and authorize the Fermers of the Exciſe and Collectors thereof, To call for ſuch ane number of the Generall Commiſſar his Troup as ſhall be neceſſar to Quarter upon the Deficients; Who ſhall have free Quarters from the ſaids Deficients, till they make payment of what is due by them: And ordaines the ſaid Generall Commiſſar and the Officers of his Troup, to readily anſwer the Fermers and Collectors herein: And with power to the Clerk of Regiſter, To nominate and appoint Clerks, Deputes, ane or mae, To be Clerks to the Committee for the Exciſe.

ACT XXIII.

Act ſuſpending the execution of the Bands given by the Commiſsioners for the 5000 l. *Sterling.*

10. *March* 1647.

THE Eſtates of Parliament, Conſidering that the Commiſſioners of theſe Shires who hes taken up their proportionall parts of the 5000 l. Sterling appointed for lame Souldiers, Widows and Orphans of dead Souldiers; and hes given their Bands for the payment thereof, conforme to the Act of the Commiſſioners ſent to *Newcaſtle*, ratified in Parliament, and are now ordained by ane former Act of this Parliament, to redeliver theſe ſums to the Generall Commiſſar upon his Band, will not be free of the execution of the foreſaids Bands given by them at their receit of the ſaids ſummes: Therefore, the Eſtates doe hereby ſuſpend all execution upon the foreſaids Bands

Bands given by the saids Commissioners at the instance of any person or partie whatsomever, while the saids summes contained in their Bands be really repayed by the saids Commissioners, by the Generall Commissar or his Deputes, by his order and warrand; That therewith the Commissioners may fulfill the conditions and obliegments of their Bands, and thereupon retire the samine or discharges thereof.

ACT XXIV.

Act renuing the Commission to the Commissioners for England.

11. *March* 1647.

FOrsameikle as the Estates of Parliament, considering that they have condiscended upon Instructions to their Commissioners for *England*: And taking also to their consideration, the tenor and power of the Commission to be granted to the saids Commissioners; The saids Estates after debate & voycing, finds, that the Commission granted by the Parliament to the Commissioners therein nominate to go to *England*, in *Anno* 1644. should stand: And therefore they do hereby ratifie and renew the said Commission to the saids Commissioners therein mentioned, and ordaines the samine to stand in full force and effect, conform to the tenor thereof: And also the saids Estates after debate and voycing as said is, findes, and declares, that there shall foure of the saids Commissioners specified in the said Commission, go presently at this time about the managing of the foresaids Instructions, in the discharge of the said imployment and Commission, And nominates, and appoints the Earle of *Lauderdale*, Sir *Charles Erskine*, *Hew Kennedie*, and Master *Robert Barclay*, for the effect foresaid: And therefore, the Estates ordaines the Earle of *Lauderdale*, who is now in this Kingdome, to repair presently to *London*, and joyne with the other three who are already there, to the effect before rehearsed.

ACT XXV.

Act anent the taking of the oaths of Delinquents, for tryall of their Delinquencie.

15. *March* 1647.

THe Eſtates of Parliament, taking into their conſideration the report of the Committee for moneys and proceſſe, bearand that in the tryall of Delinquents, they finde a great difficulty to have any thing proven by witneſſe, and that in regard of the Act of Parliament, they cannot conveniently take their oathes, ſince it is left arbitrarie, to proceſſe to death ſuch as ſhall be found to fall within the compaſſe of the firſt Claſſe for Delinquency, and that before exact tryall, it cannot be found who ſhall fall within the compaſſe of that firſt Claſſe; The ſaids Eſtates of Parliament for clearing hereof, Findes, and Declares, that none of theſe Delinquents who fals, or ſhall happen to fall within the compaſſe of the firſt Claſſe for their Delinquency, ſhall be hereafter proceſſed to death, And in reſpect hereof, The ſaids Eſtates findes that Delinquents may be examined and tryed upon their owne oaths, which wil be the readieſt mean to try the cariage of ſuch as have not yet been called in queſtion, and whoſe Delinquency will be hardly known otherwiſe.

ACT XXVI.

Act againſt Runawayes and their Reſetters.

15. *March* 1647.

FOrſameikle as it is repreſented to the Eſtates of Parliament by General Lieutenant *David Leſly*, that there was great numbers of the Foot Regiments of theſe Forces now imployed for the ſervice of the Kingdome abſent at the day of Randevous keeped at *Monroſe* the tenth of March inſtant, notwithſtanding of the publick Orders and Proclamation for keeping thereof: And the Eſtates of Parliament taking this, with the prejudice that the publick Service may ſuſtain hereby to their ſerious conſideration, They do hereby Renew and Revive all former Acts and Orders made againſt Runawayes and their Reſetters, And Ordaines the ſame to be put to execution by the Committees of War of the ſeverall Shires of the Kingdom. And further, The Eſtates Ordaines the Committees of War of the ſaids ſeverall Shires immediatly and with all diligence poſſible, To make publick Proclamation and Inti-

Intimation *respectivè* at the Market Crosses of the Head Burghs of their Shires, and at the Parish Kirks within their severall Shires; ordaining and commanding all these Souldiers which are of the new Forces keeped up for the service of the Kingdome, and who are lurking and remaining within the severall Shires, To repair immediatly to the places of Randevous of the severall Shires, to be appointed by the Committees of War thereof, within four dayes after the Proclamation and Intimation *respectivè* foresaid, under the pain of death: And Ordaines the saids Souldiers to be delivered to these Officers of the Regiments sent for receiving of them, to be carried by the Officers to their saids Regiments and Companies, and they to pay for their Quarters in their return to their saids Regiments: And also ordaines the Committees of War of the severall Shires, after the said Proclamation and Intimation foresaid, To cause make diligent search and tryall of all these within their bounds, who gives not obedience by repairing to their saids Regiments and Companies whereof they are inrolled as Souldiers, within the space foresaid, and to apprehend the contraveeners, and to see justice execute upon them who shall be found disobedient, by hanging of them to the death. And for this effect, The Estates gives hereby power and Commission to the Committees of War of the severall Shires, to execute justice upon the disobedient, according to the pain and certification foresaid: And in the mean time ordaines the saids Committees of War, to be assisting to these Officers of the severall Regiments that are sent from the Regiments, with the rolls of the men that are wanting for their help in getting together of the saids Souldiers: As also ordaines the present Commissioners of Parliament for the severall Shires and Burghs, to send thir presents with the former Act and Proclamation made against Runawayes and their Resetters, to their saids Shires and Burghs, immediatly with all diligence, that the samine may be proclaimed and intimate, and accordingly put in execution conform to the tenors thereof; And that the Committees of the severall Shires make report of their diligence to the Parliament or Committee of Estates.

ACT XXVII.

Act against excommunicate Persons.

18. *March* 1647.

FOrasmuch as the pride and insolencie of excommunicate persons doeth exceedingly increase, and that dreadfull censure of excommunication is much slighted and vilipended; Whereby not onely the offenders are obdured in their obstinate impenitencie, But God is much dishonoured by their contemning of that his ordinance: For remedie thereof, The Estates of Parliament Ratifie and Approve all preceeding Acts and Ordinances of Parliament against excom-

excommunicate perſons, Ordaining the ſame to be put to due execution; And in reſpect of the impenitencie of excommunicate perſons and their diſobedience unto, and contempt of all Eccleſiaſtick Diſcipline: Do further Statute and Ordain, That fourty dayes being paſt after the ſentence of excommunication, Letters bee direct for denuncing all excommunicat perſons His Majeſties rebels, and putting them to the Horn at the inſtance of the Kings Advocate, The Procutor for the Kirk, The Presbyterie, or other ſuperior Kirk judicatorie intereſſed, or either of them; And that by warrand of any of the Lords of privie Counſell or Seſſion, Which Letters ſhall be execute at the Market Croſſe of *Edinburgh* and Peir of *Leith*, and the denunciation uſed by vertue thereof at theſe places, ſhall be ſufficient againſt them, Ordaining alſo Letters of Intercommoning and Letters of Caption to bee direct upon their denunciation, And that in the execution of caption all the Lieges concur and be aſſiſting: Diſcharging hereby all ſuſpenſions, relaxations, and warrands whatſoever for liberty to excommunicate perſons, except they certifie by writ that they have given full obedience and ſatisfaction to the Kirk, and made reall payment of the penalties they incurre by the thirteenth Act of the Parliament in the year, 1641. made againſt the excommunicate perſons: And the Eſtates of Parliament Ratifies and Approves all Acts of Convention, and of Secret Counſell made againſt Jeſuits, Papiſts, Prieſts, and excommunicate perſons; And ſpecially the Acts of Secret Counſell made againſt them upon the firſt of July, 1642. printed the ſame yeer, *viz.* Concerning the incapacitie of profeſſed Papiſts refuſing to Communicate, to have place in publick Judicatories, or to bruike any office in the Kingdome, or to have acceſſe to the Court, Concerning the debarring of excommunicate Papiſts from proceſſe and offering a roll of their names for that purpoſe, concerning the directing Letters of treaſon, and intercommoning againſt excommunicate Papiſts, denunced Rebels, Recommendation to the Lyon for diſcharging Meſſengers ſuſpect of Poperie, and refuſing the Covenant, Recommendation to the Lords of Exchequer for the eſcheats and Liferents of excommunicate Papiſts, and for obſerving duly the thirteenth Act of the Parliament, 1641. And ane ordinance that Husbands ſhall bee countable that their Wives ſhall not reſet, ſupplie, nor intercommune with Jeſuits nor Prieſts, and that He nor She ſhall not be obſerved by Papiſts; And that none ſhall bee admitted to their ſervice but ſuch as ſhall have a teſtimoniall of the ſoundneſſe of their Religion from the Miniſter where they dwelt, under the paines contained in the Acts of Pariament made againſt reſetters of Jeſuits, Seminarie and Maſſe Prieſts, and eſpecially under the paines contained in the ſaid thirteenth Act of the Parliament, 1641. Which ordinance concerning the receit of Jeſuits, and Prieſts, Together with the remanent Acts concerning profeſſed and excommunicate Papiſts, are hereby extended to all excommunicate perſons whatſoever reſpectively. Ordaining the ſaids Acts and Ordinances of Counſel to be put to due execution accordingly.

ACT

ACT XXVIII.

Act diſcharging the obſervation of Superſtitious dayes.

18. *March* 1647.

THe Eſtates of Parliament, conſidering that the obſerving of Yule day, and other ſuperſtitious dayes is much occaſioned by Coal-hewers and Salters flitting and entrie at Yule; Therefore they Ordain, that the termes of flitting, and entry of all Coal-hewers and Salters, ſhall hereafter be upon the firſt of December yearly, diſcharging any entry or removal to be at Yule hereafter: Inhibiting alſo, all and every one to obſerve the ſuperſtitous time of Yule, or any other ſuperſtitious dayes in any manner of way, And that under the paines contained in the Acts of Parliament made againſt prophanation of the Sabbath: And recommends to all whom it concerns, to ſee this Act obſerved, and the contraveeners puniſhed in their perſons and goods condignly.

ACT XXIX.

Act and Commiſsion to the Committee of Eſtates.

20. *March* 1647.

FOrſamuch as the Eſtates of Parliament, have thought fit that in further purſuance of the ends of the Covenant, and for ſetling the Peace of this Kingdome, ane competent number of Forces ſhall be keeped up and imployed within the ſame; and that the Commiſsion given to ſuch of the Eſtate as were ſent to *England* ſhould yet be proſecute. And finding neceſſar, That for providing for the maintenance and welfare of the Forces aforeſaid, for giving inſtructions to the Commiſsioners in *England*, for taking courſe in what may concerne this Kingdome, in relation to the *Scots* Army in *Ireland*, for preſerving and ſetling the peace of the Countrey at home, and in this time of trouble and war, for ordering and governing the haill Body of the Kingdom, Ane Committee of Eſtates ſhould be nominate and authorized by this preſent Parliament, They do therefore nominate, elect, and make choiſe of *James* Duke of Hamiltoun, *William* Earle of *Marſhall*, *John* Earle of *Sutherland*, *William* Earle of *Mortoun*, *Alexander* Earle of *Eglintoun*, *William* Earle of Glarne, *John* Earle of *Caſsils*, *Charles* Earle of *Dumfermling*, *James* Earle of *Tillibairdin*, *Robert* Earle of *Roxburgh*, *Francis* Earle of *Bacleugh*, *William* Earle of *Lothian*, *John* Earle of *Traquair*, *James* Earle of

of *Finlator*, *VVillam* Earle of *Lanerk*, *James* Earle of *Callander*, *John* Lord *Yester*, *James* Lord *Cowper*, *Alexander* Lord *Balcarras*, *John* Lord *Bargany* for the Noblemen. Sir *James Fouls* of *Colingtoun*, *David Beatoun* of *Creich*, Sir *James Lockhart* of *Lee* ane of the Lords of Sessíon, Sir *John Hammiltoun* of *Beill*, Sir *Patrick Cokburne* of *Clerkingtoun*, Sir *Alexander Belsches* of *Tofts* ane of the Lords of Sessíon, *Home* of *Blacader*, Sir *Alexander Sutherland* of Duffus, *Alexander* [illegible] *die* of that ilk, Sir *Alexander Morison* of *Prestongrange*, Sir *VVillam Cochran* of *Cowdoun*, *Hew Campbell* of *Cesnok*, Sir *Alexander Falconer* of *Halkertoun* ane of the Lords of Sessíon, *Ker* of *Newtoun*, Sir *Thomas Ruthven* of *Frieland*, *Andro Agnew* appeirand of *Lochnaw*, *James Macdowall* of *Garthland*, *Skene* of that ilk, Sir *Andro Fletcher* of *Innerpeffer* ane of the Lords of Seffion, and Sir *James Fraiser* of [illegible] for the Barrons. *Archbald Sydserff* Baillie of *Edinburgh*, *John* [illegible] Goldsmith Burges thereof, *Robert Arnot* Proveſt of *Perth*, Sir *Alexander VVedderburne* Clark of *Dundee*, M. *Robert Farquer* Burges of *Aberdene*, *John Short* Proveſt of *Sterling*, *James Robertson* Burges of S. *Andrews*, *George Porterfield* Proveſt of *Glasgow*, *John Kennedie* Proveſt of *Air*, *David Simpson* Burges of *Dysert*, *Robert VVhite* Burges of *Kirkcaldie*, *John Johnstoun* Proveſt of *Drumfreis*, *John Forbes* Proveſt of *Innernes*, M. *Robert Cuninghame* Burgeſſe of *Kinghorne*, *VVilliam Glendoning* Proveſt of *Kirkcudbright*, *VValter Airth* Burges of *Pettinweam*, *John Sempil* Proveſt of *Dumbartane*, *Gideon Jack* Proveſt of *Lanerk*, M. *John Hay* Proveſt of *Elgin*, and *Gilbert Mair* Burges of *Bamf*. And als the Eſtates nominates and appoints *Alexander* Earle of *Leavin* Lord Generall, *John* Earle of *Lowdoun* Chancellour, *John* Earle of *Crawfurd* and *Lindeſay* Preſident of Parliament, Sir *Alexander Gibson* of [illegible] Clerk of Regiſter, Sir *John VVeemes* of *Bogie* Generall Commiſſar, and the haill perſons in the Commiſsion to *England*, with the Proveſt of *Edinburgh*, and *James Stewart* Generall Collector of the Exciſe to be supernumerarie in the foreſaid Commiſſion, To be Commiſſioners for Parliament, To whom or any nine of them, there being two of each eſtate, The Eſtates gives full power, warrand, and commiſſion to conveen at ſuch times and places as they ſhall think fit, and there to take ſuch courſe, give ſuch orders, warrands, inſtructions, or what elſe they find neceſſary for defence of the true Proteſtant Religion, the Liberties and Priviledges of the Kingdome, his Majeſties Perſon and authority in the preſervation thereof: For removing the difference betwixt his Majeſtie and his People, and promoving the Cauſe in hand, conforme to the Covenant and Treaties made thereanent. And in this time of trouble for ordering and governing the haill Body of the Kingdome, and the Armie now imployed within the ſame: And to conſult and adviſe in every thing that may conduce to the good and ſafetie thereof. With power alſo and command to them to give order to the ſeverall Shires and Burrowes of the Kingdome, for raiſing ſuch number of Forces, horſe and foot, out of their ſeverall bounds and Juriſdictions, and for out-reiking them with Arms, Ammunition, Victuall, and other neceſſaries, as they ſhall think fit for the ends aforeſaid, To put the Kingdome in a Poſ-

of defence, and to give orders for their Quartering, Muſtering, Marching, appointing of Officers over them, and right regulating of the ſame, and providing means and ſubſiſtance for them: And with power to them or their *Quorum*, To borrow Money allanerly from theſe who have been in actuall rebellion, conforme to the limitations and reſtrictions mentioned in the Act of Parliament at S. *Andrewes*, 3. February 1646. and to borrow the Money contained in the offer and Roll produced to the Committee for the Sheriffdome of *Orknay*: And to give publick ſurety for the ſame, and more Moneyes already lent or decerned, and for which ſurety is not yet given. And the Eſtates diſchargeth hereby all other coercive of borrowing of Money, Without prejudice of all execution to follow upon the Decreets already given before the date hereof for lending of Money. As alſo with power to them to try, proceſſe, fyne and cenſure, or to iſſue out Summonds or Commiſſions for all juſt and legall tryall, conforme to the Lawes and practice of the Kingdom, againſt all Delinquents (excepting ſuch as are come off, and are or ſhall be freed by Paſſes from Lieutenant Generall *David Leſlie*, Generall Major *Middleton*, or any other having power to that effect, and who have enacted and behaved themſelves accordingly, and als excepting ſuch as are or ſhall joyn in the Rebellion) conforme to the ſeverall degrees and Claſſes of delinquencie mentioned in the Act of Parliament made at S. *Andrewes*, and conform to the Commiſſion formerly given thereanent to the former Committee of Proceſſes, which is holden as here repeated, except in matter of Exciſe and borrowing. And ſeeing many bills, proceſſes, tryalls, and decreets concerning Delinquents have been remitted to the Parliament, or are in dependence before, and to be judged by the Parliament, and are not yet decided: With power to this Committee or *Quorum* to call for them, and to try, cognoſce, judge, and give ſentence thereupon as they ſhall finde juſt. With power alſo to this Committee, To aſſiſt the Collector Generall in bringing in the Monethly Maintenance, and the accompts of all goods, rents, ſummes of Money, and others belonging to Delinquents or forefaulted perſons, together with all other accompts concerning the Publick: And to cloſe, allow, controll, or diſallow the ſame as they ſhal finde juſt and reaſonable: And to call for payment and accompt of all Reſpondes and Debts addebted and due by any perſon whatſomever to the publick, and to give new Commiſſions for up lifting of Delinquents Rents, and to examine and recall former Commiſſions: And to grant ſuch orders, letters, and execution, for inbringing the ſaids Moneyes, Compts, Reſponds, and others goods aforeſaid belonging to the Publick, and to pronounce Decreets and ſentences thereupon, and to cauſe put the ſame to execution: And to reduce the whole Debts and Compts of the Kingdome into ſuch order as the publick Debts of the Kingdome may bee knowne. Likeas the Eſtates do hereby entruſt this Committee with the ſole and only power of diſpoſing and diſtributing of all Moneys that ſhal come in and be due to the Publick any manner of way. But prejudice of former aſſignements, and to imploy the Maintenance and Exciſe in the firſt place for maintenance of the Army and Gariſons, and the reſt for ſuch

other neceſſars as concerne the preſent Service; And that each precept for giving out of Money be ſubſcribed at leaſt by a *Quorum* of the Committee, being conveened in Committee. And that all perſons ſubſcribers of any Precept, ſhall be anſwerable to ſubſcribe no Precept out of the Monethly Maintenance or Exciſe, but for the affairs and entertainment of the Army and Garriſons: Wherein if they contraveen, They ſhall be lyable in repayment of all ſuch ſummes for which they ſhall draw precept for any other cauſe, till the Maintenance of the Army and Garriſons be firſt payed or ſatisfied; And that no Precepts be drawne but when there is Money in the Caſſe to pay the ſame. And the Eſtates do hereby Ordain the ſaid Committee in ordering the payment of any Moneyes to the Army, To diſtribute the ſame equally, and to take conſtant courſe that all Regiments of Foot, Garriſons, Troups of Horſe and Dragooners, be put and kept in equality, either in Money, Proveant, or Proviſion, according to their ſtrength. And for ferming and outgiving the Exciſe, The Eſtates have ordained ſix of the Committee of Eſtates, being two of each Eſtate, to joyne with the Committee of Exciſe; which ſix perſons the Parliament do hereby authorize the Committee to appoint and nominate, and to diſcharge them to ſigne any Precept for the diſpoſall of the Exciſe, except for the Maintenance of the Army in the firſt place, and that being ſatisfied (and no otherwiſe) than for other publick uſes, as is contained in the Act of Exciſe.

With power alſo to this Committee or *Quorum* thereof, To cauſe apprehend or call before them all ſuch perſons as are or ſhall joyne in the Rebellion, or concur, aſſiſt, or correſpond with any perſons in the Rebellion: and to purſue them, pronounce ſentence, and do juſtice upon them conform to their ſeverall demerits, and that als fully in all reſpects as the Parliament might do if they were ſitting. As alſo with power to give Inſtructions from time to time to the generall Officers: And alſo for pardoning theſe who are in Rebellion (and not excepted) conforme to the limitations and qualifications which are already, or ſhall hereafter be agreed unto in this Seſſion of Parliament: And that they take in the Reports of Shires and Burghs of ſuch Lands and others as are burnt and waſted by the Enemy: And to allow ſuch proportion of the Maintenance as is ſuſpended, and will be anſwerable to the Rules made or to be made by the Parliament for that effect. With power alſo to this Committee by themſelves, or ſuch as ſhall be by them authorized, To treat and determine with the Parliament of *England*, or ſuch as they ſhall appoint, for payment of the Arreares due to the *Scots* Army in *Ireland*, and for their future entertainment and diſpoſall of the Army in time-coming, in haill or in part, conforme to the Treaty made thereanent, and as ſhall be thought fitteſt for the Service. As alſo with power to them to ſend Petitions, Letters, or Remonſtrances to his Majeſty, and Meſſages or Commiſsioners to forrain Princes or States, and to return anſwer to any Letters or Meſſages from his Majeſty or forrain Princes or States; and to give paſſes and warrands to ſuch perſons as they ſhall think fit, and are not excepted in the Propoſitions to go and attend his Majeſty in their places, or otherwiſe. With power alſo to the Committee

Committee or *Quorum* thereof, to appoint some of their own number, or others as they shall think fit, to be ane Committee to attend the Army in *Scotland*, if they shall finde it necessar, and to appoint the *Quorum* thereof, and give them power and instructions as they shall finde requisite and expedient. And if any matter of importance do occurre that requires the resolution of the Estates, in that case this Committee hes hereby power to call a meeting of the Estates of Parliament. And if any of the saids Commissioners shall not attend the meetings of the Committee, and be absent without licence or lawfull excuse; With power to the *Quorum* to fine them according to ane former Act of Parliament: And generally to do all and sundry other things requisite anent the ordering and managing of all affaires and businesse which may conduce to the good and peace of the Kingdome, and promoving of the common cause, as is expreст in the Covenant and Treaty, firme and stable holding, and to hold what shalbe done, conform to this Commission abovementioned: Which Commission is to endure to the next meeting of Parliament.

ACT XXX.

Act liberating the good Subjects from the pursuit and actions of the Rebels, Civill or Criminall.

22. *March* 1647.

THe Estates of Parliament now conveened in this sixth Session of the first Trienniall Parliament, Considering that divers of His Majesties good Subjects may bee troubled and molested by Civill or Criminall pursuits, for deeds done by them against the Persons, Lands, or Goods of such as have been in the rebellion, or have been guilty with the Rebels in their wicked courses or any of them: For remeed thereof, and for safetie of those who have faithfullie served the publike in time past, And for encouragement to them and others in time comming: It is Statute and Ordained, That all His Majesties good Subjects shall bee altogeder freed and liberate in all time comming, from being any wayes called, conveened, troubled, pursued, or molested in judgement, Civill, or Criminall, or outwith the same for any deed done or to be done by them against the Persons, Lands, or Goods of such as have been or shall be in the rebellion, during the time of their being in the said rebellion, or have been or shall be guilty with the Rebels in their wicked courses,

or any of them that may come under the firſt Claſſe of Delinquents, contained in the fifth Act of the fifth Seſsion of this preſent Parliament holden at Saint Andrews in the Moneth of January, 1646. And againſt the Lands and Goods of all Perſons, who have been or ſhall be guilty with the ſaids Rebels in ſuch crimes and faults as comes under the ſecond Claſſe of the ſaids Delinquents mentioned in the ſaid Act; Diſcharging hereby all Judges whatſomever within this Kingdome both Civill and Criminall, of all judging or proceeding in any ſuch actions already intended or to be intended in all time comming.

ACT XXXI.

Act that no reparation of loſſes be given to theſe who hes been complyers with the Rebels.

22. *March* 1647.

THe Eſtates of Parliament now conveened in this ſixth Seſſion of the firſt Triennial Parliament, findes and declares, That in any courſe or way tane, or to be tane by them, for reparation of the loſſes of the Kingdom, Theſe that have been enemies to the Countrey, or complyers with the Rebels, Enemies thereof, ſhall have no part nor benefit for reparation of their loſſes which they ſuſtained, during the time they were enemies to the Countrey, or during the time of their complyance with the ſaids Rebels, Enemies thereof: Likeas it is hereby Declared, That this preſent Act is not extended to the Duke of *Hammiltoun*, and that he is no wayes comprehended under the ſame.

ACT XXXII.

Act renuing the Commiſsion for plantation of Kirks, and valuation of Teinds.

24. *March* 1647.

THe Eſtates of Parliament now conveened in this ſixt Seſſion of the firſt Trienniall Parliament, conſidering that by the thirtieth Act of Parliament holden at Edinburgh, in *Anno* 1641. There was Commiſſion granted by the Kings Majeſty and the Eſtates of Parliament, to the Commiſſioners therein nominate, & *Quorum* thereof, contained in the ſaid Act for plantation of Kirks, and valuation of Teinds in manner therein provided: Likeas, in the firſt Seſſi

of this Parliament in *Anno*, 1644. The famine Commission for plantation of Kirks, and valuation of Teinds was renewed: And for furtherance and discharge of the said Commission, some Persons were nominate in place of these deceast, and others added thereto in manner specified in the said Act. And the Estates having revised the saids Commissions in *Anno*, 1641. and 1644. *respective*, They finde that Master *George Douglas* of Bonieburgh, and Sir *Dowgall Campbell* of Achinbreck are deceast since the renewing of the said Commission, and that Sir *William Cunninghame* of Caprintoun likewise one in that Commission is Clasfed for his complyance with the Rebels: Therefore, The Estates of Parliament nominates *David Beatoun* of Creich in place of the said Master *George Dowglas*, *Alexander Bredie* of that ilk in place of the said Sir *Duncan Campbell* of Achinbreck, and Sir *William Cochran* of Coudoun in place of the said Sir *William Cuninghame* of Caprintoun, & *John* now Earle of Lauderdale in place of umquhile *John* Earle of Lauderdale his father, and Sir *Archibald Johnstoun* of Waristoun His Majesties Advocate in place of umquhile Sir *Thomas Hope* late Advocate to our Soveraigne Lord: And likewise further addes some of each Estate, *viz.* *James* Duke of *Hammiltoun*, *Francis* Earle of Balcleuch, *James* Earle of Callendar, *John* Lord Bargonie for the Noblemen. Sir *James Lockhart* of Lea, Sir *Alexander Belshes* of Tofts two of the Lords of Session, Sir *John Weemes* of Bogie, and Sir *Iames Foules* of Colingtoun for the Barons. *Archibald Sidserfe* for Edinburgh, Sir *Alexander Wedderburne* for Dundie, Master *Robert Farquhare* for Aberdene, and *Iohn Hart* for Sterling for the Burrows, to be upon the foresaid Commission of plantation of Kirks and valuation of Teinds; And by thir presents Ratifies and Renews the said Commission and former Act, renewing the famine of before with the eikand addition of the Persons therein nominate, with the hail power thereby granted and hail tenor and effect thereof, and to modifie Stipends and appoint localities, in manner, and to the end therein mentioned; And grants the like power to the persons *respective* abovenamed, now eiked and added to the former Commission as is granted to the other Commissioners nominate, & formerly added in the Act for renewing thereof *respective*, sicklike and in the famine manner in all respect, as if the saids Persons had been nominate and insert in the said Commission at the granting thereof: And declares and ordaines the *Quorum* in the said Commission to bee eleven, there being three of each Estate. And in respect of the great trouble that hath been thir years bygane, which hes occasioned that the parties who were willing to buy, could not purchase any right of the Teinds, And herewith considering that it was His Majesties Will and Pleasure, that all Heritors should have their owne Teinds at reasonable rates: Therefore the said Estates Statutes and Ordaines, That all His Majesties Subjects who hes not cost their Teinds within the time prescribed by the foresaid Commission, or either of them and are now willing to buy, shall have thereby power and libertie to buy the famine, within the space of three yeer next after the date of thir presents, conform to the Tenor of the said Commission, notwithstanding the termined time therein specified be

prescribed.

preſcribed. And the ſaids Eſtates delares, That it is lawfull to the ſaid Commiſſioners or their *Quorum*, to proceed in all ſummonds & actions intended or to be intended, at the inſtance of any party within the time of three yeares after the date of this Act, and with power to determine therein according to juſtice as was formerly, notwithſtanding of any preſcription and certification in former Commiſsions againſt theſe who ſhall not buy their own teinds.

ACT XXXIII.

Act anent the vaſſals of Kirk lands.

24. *March* 1647.

FOrſameikle as the Eſtates of Parliament now conveened in this ſixth Seſſion of the firſt Trienniall Parliament having heard and conſidered the Petition repreſented to them, in the behalf of ſome Barrons, Gentlemen and others, Fewers of the Kirk-lands within this Kingdome, deſiring the Acts of Parliament formerly made anent the Superioritie of Kirk-lands to be ratified, and that the Parliament would declare all Infeftments, Commiſſions, and Bailiaries, for entring of Vaſſals granted or to bee granted, otherwiſe then in Exchequer, to be null be way of exception or reply, except alanerly in ſo far as the ſamine may be extended to the Few-fermes, and Few-males of the ſaid Kirk-lands, in manner contained in the Act of Parliament, made *Anno* 1633. And with the reſervations, and exceptions contained in the Act, and in the other Act of Parliament, in *Anno* 1641. As alſo, to diſcharge the Lords of Exchequer from paſſing of any Signatures or Infeftments in time coming of the ſaids Superiorities, or any Takes, Commiſſions, or Bailiearies, for entring of Vaſſals, except alanerly, as they by the ſaids Signatours, the parties having right may claime the Few-fermes, and Few-duties addebted to the Vaſſals and other ſubjects of the foreſaids Kirk-lands, as that ſupplication more fully beares: The ſaids Eſtates have remitted, and do hereby remit all bygone Infeftments and rights of Superiorities of Kirk-lands already paſt the Exchequer and great Seal ſince the year of God 1633. to the deciſion of the Lords of Seſſion, to be heard, conſidered, and diſcuſſed by them *prout de jure*. And alſo the Eſtates have remitted, and do hereby remit the diſcuſſing and deciſion of all warrants already granted by his Majeſtie to particular perſons for entring of Vaſſals to any Kirk-lands, whither the ſame warrands be granted by name of Take, Commiſſion, Bailierie, or any way of deputation to the Lords of Seſſion, to be decided by them *prout de jure*: And the Eſtates declares, that the Superiors and Vaſſals *reſpectivè* foreſaids are left in *ſtatu quo* they were before the making of this Act, unprejudged or helped by the remitting of their Infeftments, Rights, Warrands, Takes, Commiſsions, and others abovementioned

o the Judges ordinar *prout de jure*, conform to the foreſaids two articles bove rehearſed. And ſicklike, The Eſtates of Parliament findes, and eclares, that the Lords of Exchequer and keepers of the Seals, ſhall ot have any power to grant or paſſe hereafter any new Grants, Rights, r Infeſtments of the Superiorities of the foreſaid Kirk-lands; And herefore the Eſtates does hereby diſcharge the Theſaurer principall and epute, and remanent Lords of Exchequer, and keepers of the Seales, om all paſsing or expeding any new Grants, Rights, or Infeftments, any of the foreſaids Superiorities of the ſaids Kirk-lands, and from l paſsing of any Warrands, Takes, Commiſsions, Bailliaries, or deration for entring of Vaſſals thereto, and for theſe Superiours and aſſals of Kirk-lands, contained in the firſt and ſecond articles above-entioned, remitted to the ſaid ordinary Judge *prout de jure*, the Eates leaves them in *ſtatu quo* they were before the making of this ct, *unprejudged* or helped as is aforeſaid, excepting alwayes from the id reſtraint, the Signatour granted to the Earle of Eglingtoun, and the ord *Montgomery*, of the Abbacy of Kilwinning, with this declarati- alwayes, that if the Exchequer ſhall pleaſe to paſſe the Signatour of ilwinning, The ſame ſhall be without prejudice to the Lairds of Blair, ontgrenance, Aſchinyards, Hill of Beath, Halpland, and Mainil-hill, d all others who have not conſented, nor will conſent to the ſupplica- given in by the Vaſſals of Kilwinning, deſiring to hold of the ſaids ble Lords: All which perſons ſo excepted are allowed to enter pre- ly, and in all time coming by the Exchequer, to any lands holden of id Abbacy of Kilwinning; And with this ſpeciall declaration al- That the paſsing of the ſaid Signatour or right in Exchequer, (if it e done) ſhall neither prejudge nor help the ſamine, but that the ne is and ſhall be remitted to the Judge ordinar foreſaid in manner ve-written, to be tryed and diſcuſſed by them *prout de jure*, and this ecially in reſpect the Earle of Eglingtoun and Lord Montgomery the conſent of moſt part of the vaſſals, who hes ane greater com- dity and eaſe by entring by the ſaid Earle and his Son then the Exchequer, for they are content to enter both Heirs and ſingu- ſucceſſors without any benefit, ſave only the double of the few du- And are oblieged to diſpone the vaſſals lifeient, eſcheat for four rts of every hundreth Merks of Rent: And the Eſtates of Parlia- , for good cauſe and particular conſideration, Declares, that the rticle of this Act doth not militate againſt the Lands of Lurg, Kin- ne, or ſeventeene Aikers of Lands of Culroſe, ſometime pertai- to the Abbacie of Culroſe, nor to the fewfermes or ſuperiorities eof, which are no wayes to fall within the compaſſe of any article his Act, but notwithanding thereof ſpecially reſerved in full force, ngth, and effect; Exceptand from this preſent Act whatſomever ations or mortifications pertaining to His Majeſties Royall Bur- s; And declares the ſamine no wayes to be comprehended within preſent Act, but to be excluded therefra, and from the Act of Par- ent, 1633. *cap.* 14. And declares the Infeftments, Mortifications, others Rights, Gifts, and Securities thereof, made to them and in their

their favours, to bee good valide Rights and Securities to the and their Succeſſors, for bruiking of the haill Rents, Anualrents, Se riorities and all others therein contained; conform to the Tenors the of in all points: And alſo the Eſtates diſcharges the Exchequer of ſing any new Signators, or Rights of Bailliaries (whereof there hes been former Rights) comprehending ſervitudes, or entring of vaſſ And ſicklike, The ſaids Eſtates remits and recommends to the C mittee of Eſtates, to ſet down ſick ſmall rates and prices for entrin meane and petty vaſſals of Kirklands, as the Committee ſhall finde pedient for the eaſe of the ſaids vaſſals, anent their entry the ſaids Lands paſſing and expeding of the Writs and Seals there And ordaines the Committee to report the ſame to the next Seſſion Parliament.

ACT XXXIV.

Act that none guilty of the Crimes of the firſt Claſſe, bee admitted on the Committees of Warre of the Shires.

24. *March* 1647.

THE Eſtates of Parliament now conveened in this ſi Seſsion of the firſt Trienniall Parliament, findes declares: That none of theſe who are found guil the Crimes mentioned in the firſt Claſſe of the anent the Claſſes of Delinquents made at Saint *drews* in the eighth of January, 1646. Shall be mitted to bee upon the Committees of Warre for the ſeve Shires of the Kingdome, or any of them; and if any be already m to be upon the ſaids Committees of War of the ſamine ſeverall Sh that are guilty of any of the crimes ſpecified in the ſaid firſt Claſſ the Act abovewritten: The Eſtates do hereby prohibite and diſch them, and every ane of them ſo guilty as ſaid is, to ſit in the fore Committees of War, or any of them, or to have place or voice t intill.

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ACT XXXV.

Act renewing the Commmission of Exchequer.

25. *March* 1647.

THe Estates of Parliament now conveened in this sixth Session of the first Trienniall Parliament, Taking into their consideration the Commission formerly granted to the Exchequer upon the first day of February 1645. They do hereby renew and prorogate the same Commission, to the persons and with the power therein mentioned, and addes thereto Sir *Archibald Johnstoun* of Warristoun Knight his Majesties Advocate, in place of umquhill Sir *Thomas Hope* his Majesties Advocate, without any further addition to the said Commission: And ordaines the foresaid Commission to stand in full force, strength, and effect, and to be a full power and Commission to the foresaids persons, to assist the Lord Thesaurer principall and Thesaurer Depute, in the managing of the matters of Exchequer, conform to the tenor thereof in all points, ay and while the samine be discharged by the Parliament.

ACT XXXVI.

Act anent Quarterings.

26 *March* 1647.

THe Estates of Parliament now conveened in this sixth Session of the first Trienniall Parliament, Taking to their consideration the great burden under which the Countrey groaneth through the exorbitant Quarterings of the Forces, Horse and Foot, that have beene this long time bygone, and still is, and how unreasonable it were that the Lieges should both be lyable to the said Quarterings, and also in payment of the Monethly Maintenance imposed upon the Kingdome; Have therefore thought fit to statute and ordain, Likes by thir presents, They statute and ordain, That all the Quarterings within this Kingdome, bygone since the tenth of February, and in time coming during the continuing of this present Maintenance, the samine being lawfully proven either by Billets, or by witnesse, in *communi forma*, to be led and deduced before the Committees of War of ilk Shire, or any two of them, who are hereby fully authorized for that effect, to deduce the said probation, which being so closed and made, shall be ane charge upon ilk ane of the saids Regiments, Troups, or Companies *pro tanto*, and a sufficient warrand to the party to receive payment or allow-

ance, conform to the eſtabliſhment after the count fitted and no otherwiſe: And hereby it is expreſly declared, that the ſeverall Heritors, and others lyable and obleiged in payment of Monethly Maintenance, having their Quarterings lawfully inſtructed in manner foreſaid, aſwell for themſelves as their tenants, They alwayes producing their tenants warrand and aſſignation of their Quarterings to them, ſhall have retention and allowance of all the ſaids Quarterings, which either is for the preſent or ſhall be hereafter reſting awand unpayed ſince the tenth of February laſt bypaſt, and that in payment of all their Monethly Maintenance which either is, or ſhall be at any time hereafter reſting unpayed ſince the tenth of March inſtant: And alſo it is ſtatute and ordained, that for the relief of thoſe who may bee overburdened and exhauſted by Quarterings, that theſe perſons or Pariſhes ſhall have their relief of their Quarterings which exceeds their Maintenance, and that to be payed by the ſeverall Heritors, and others of that Shire *pro tanto*, in ſo far as their Maintenance doth extend to. And incaſe any Shire ſhall be exhauſted and overburdened with Quarterings above their Maintenance, In that caſe they ſhall have payment and relief from the Generall Commiſſar out of their Maintenance, and for Quarterings in time coming: It is farther ſtatute and ordained, that what ever Officers of the Army within this Kingdome ſhall not give Billets or Notes for their Quarterings, that it being proven that they Quartered in ſuch and ſuch places, and did not leave Notes or Billets for the ſamine, conforme to the juſt numbers Quartered both of Officers and Souldiers, That then and in that caſe no pay ſhall be given to the ſaids Officers and Souldiers ſo failizeing, untill the Notes or Billets bee given to the Perſons, Pariſhes, and Shires upon whom they were Quartered as ſaid is: And it is likewiſe enacted and ordained, that the firſt Tueſday of every Moneth ſhall be appointed in the ordinary places of meeting, for making of the Quartering counts within ilk Shire, and leading the probation as ſaid is: And it is ordained, that the Collector of ilk Shire be warranted to be preſent, either by himſelf or ſome in his name at the ſaids times and places *reſpectivè*.

ACT XXXVII.

Act for clearing former Acts concerning Quarterings.

26. *March* 1647.

THe Eſtates of Parliament now conveened in the ſixth Seſſion of this firſt Trienniall Parliament, Taking to their conſideration, That in their Act of the firſt of January, 1647. anent the clearing of any doubt or queſtion that may be made in the allowance of Quarterings in the payment of the Monethly Maintenance: Did Statute and Ordaine, That Quarterings alſe well ſince

Lambmeſſ

Lambmasse last as before Lambmasse should be allowed in the payment of the Maintenance; And that these that have made payment of the said Maintenance having nothing in their hands, whereof to true allowance may be forced to lye out of the payment of the saids Quarterings, whereas these that hes not made payment of the said Maintenance, shall have full satisfaction so farre as the Maintenance restand in their hands may reach, and sua bee in ane better case then these that hes made payment thereof: For remeed whereof, The saids Estates do hereby declare that the meaning thereof is, That the Quarterings that were before Lambmasse last, are to be payed conforme to the Act made for payment of Quarterings at Saint *Andrews* of the twentie seventh of January, 1646. And where there is more Maintenance restand either in Burgh or Shire then payes the Quarterings before Lambmasse last, That the samine bee imployed for the compleat payment of the Quarterings after Lambmasse of that same Burgh or Shire where the samine is restand, so farre as the said Maintenance will reach; And that such an equalitie bee keeped in the division thereof, that these that hes payed the said Maintenance or any part thereof, be put in a like footing in the payment of the saids Quarterings, with these that hes not payed the samine within the said Shire or Burgh: But prejudice alwayes of the payment of Sir *Adam Hepburne* of Humbie of these three Moneths Maintenance appointed to be payed to him in part of payment of his super-expenses of his Scots accounts.

ACT XXXVIII.

Act annulling Bands given to Iames Grahame, Alexander Mackdonald, *and their Adherents.*

26. March 1647.

FOrsameikle as the Estates of Parliament being certainly informed, And thereupon taking to their serious consideration, that there is sundry Bands, Discharges, and other Writs obligatorie, taken and exacted by *Iames Grahame* late Earle of Montrose, and *Alex. Mackdonald*, or any of them, either in their own names or in the name of any other person or persons, to their or either of their uses and behove, since the time they were in the rebellion, from some of the good subjects of this Kingdome, who were forced to the granting of the saids Bands, Discharges, and others Writs obligatorie, being then in captivity with the saids *Iames Grahame*, or *Alex. Mackdonald*, and their assistants, or under their power for the time: And that it is against all reason, equity and conscience, that these Bands, Discharges, and other Writs obligatorie aforesaid, should stand and have effect and execution against any of the good subjects of the

Kingdome granters thereof: Therefore the ſaids Eſtates of Parliament, Statutes, and Ordaines, Findes, and Declares, that all and ſundry Bands, Diſcharges, and other Writs obligatory, granted and ſubſcribed by any of the good ſubjects of the Kingdome to the ſaids *James Grahame* late Earle of Montroſe, or to *Alexander Mackdonald*, either in their own names or in the name of any other perſon or perſons for their uſe or to their behove, ſince the time they were in the rebellion, the granters thereof being then in captivity with the ſaids *James Grahame*, or *Alexander Mackdonald*, or their aſsiſtants, or under their power; are and ſhall be altogether void, null, and ineffectuall fra the granting thereof, and in time coming: Likeas the Eſtates do hereby diſcharge the ſaids Bands, and others foreſaids, with all that hath followed or may follow thereupon, and declares the ſamine null, voide, and ineffectuall from the beginning and in time coming as ſaid is, and the granters thereof, and their aires, executors, and others ſucceeding to them, to be altogether free from the fulfilling of the foreſaids Bands, Diſcharges, and others Writs obligatorie, payment of the ſummes therein contained, and from performing of the others deeds and obliegments therein mentioned.

ACT XXXIX.

Act concerning the education of children under Popiſh Parents or Tutors.

26. *March* 1647.

THe Eſtates of Parliament now conveened in this ſixth Seſsion of the firſt Trienniall Parliament, conſidering how dangerous it is that children be educate by perſons that are Popiſhly affected: Do therefore, conform to ane ordinance of Parliament at S. *Andrews*, ordain the Lords of Secret Councel, or the Committee of Eſtates, or either of them upon the repreſentation of the particular care by a Preſbytery, or other Kirk judicatorie, to provide and appoint a way for the education of children that are under the power of Popiſh Parents, Tutors, or Curators, giving unto them full power to take theſe children from under the charge of Popiſh Parents, Tutors, and Curators, and to commit them to the care of ſome well-affected religious friend, to be educate in Religion and vertue, and to do every thing neceſſar for their good education: And farther, that children doe not ſuffer in their education abroad; The Eſtates of Parliament ratifie and approve the firſt and ſecond Acts of the twentieth Parliament of King *James* the ſixth, (and the ſixth Act of the Parliament of King *Charles*, in the year of God, 1641. relating thereto) concerning children that go out of the Kingdom, and ſending Pedagogues with them, ordaining the ſame Acts to be carefully obſerved and put to due execution in time coming.

ACT

ACT XL.

Act anent the trying of burnt and wasted Lands.

26. March 1647.

FOrsameikle as the Estates of Parliament having heard and considered the report of the Committee appointed by them, for condiscending upon the cleareſt and readieſt wayes, for trying what Lands are ſo burnt and waſted that they are not able to pay duty or Maintenance, and for what ſpace and yeers they have been ſo: They ordaine and appoint, That there be three Commiſſioners direct by warrand of Parliament, not intereſſed in the Shires or Burghs ſo burnt or waſted, for trying the Lands burnt and waſted be-north the water of Tay within or without Burghs, *viz.* What Lands are ſo waſted by burning or otherwiſe, That they pay no dutie, or the Tenants of theſe who are well-affected ſo diſabled by the enemy or our owne Forces, as either they cannot or are not able to pay any duty (In which caſe the Maſters are to bee free of payment of Maintenance) Or ſuch Lands as the Tenants are in that condition, that they are only able to pay a very ſmall proportion of duetie, (In which caſe, The Eſtates reſaines the Maintenance to bee proportioned to the duety) And alſe, Trie for what ſpace the ſaids Lands have been ſo, that they are not nor have not been able to pay duty or Maintenance: And it is declared, That this preſent Act ſhall be but prejudice to the quantitie of the Maintenance payable by the Shires and Burghs not already ſuſpended by the Act of Maintenance; With ſpeciall conſideration to be had of theſe that hes had their Lands totally waſted, and hes of new pleniſhed the ſame: And the Eſtates grants power to the three Commiſſioners or any two of them (if need be) To call any Nobleman, Gentleman, or Burgeſſe within the bounds abovementioned, leaſt intereſſed in the loſſes, to be aſſiſting to them; And that ane Clerk be nominated and appointed by the Clerk of Regiſter to be ſent with the ſaids Commiſſioners to the effect foreſaid: And the Eſtates declares, That the Commiſſioners and Clerk ſhall be upon the publike charge, and accordin glypayed by the publike; And the Eſtates remits and recommends to the Committee of Eſtates, to appoint the indurance of the time of this Commiſſion, and to nominate and appoint the Commiſſioners, and to modifie and condiſcend upon the charges to be given to them and their Clerk, with the day of the report concerning their proceedings and tryall to be tane upon this Commiſſion, to be condiſcended upon, modified, and determined as the Committee of Eſtates ſhall think fit: As alſo, the Eſtates remits to the Clerk of Regiſter, to nommate and appoint the Clerk to the foreſaid Commiſſion, and in the mean time, that the payment of the Maintenance to theſe in the condition foreſaid be ſuſpended

ſpended untill the time of the report to be appointed by the Committee of Eſtates as ſaid is, or longer if the parties intereſſed do diligence, that the default be not in them. And as for theſe on the ſouth ſide of the water of Tay, that have their Lands burnt and waſted as is before mentioned; The Eſtates of Parliament ordaines them to have their addreſſe to the Committee of Eſtates, and make their condition known to them, betwixt and the tenth of June next, or longer as the Committee ſhall think expedient, That upon conſideration of their condition, the Committee of Eſtates may likewiſe give warrand and Commiſſion for ryping of the burnt and waſted Lands be-ſouth the water of Tay, as is before condiſcended. And ſicklike, The Eſtates of Parliament remits to the Committee of Eſtates, To appoint and condiſcend upon the manner of probation, to bee uſed and received for trying of the foreſaids burnt and waſted Lands upon the Commiſsion before rehearſed: And the Eſtates of Parliament declares, That the beginning of the exemption of repayment of the Maintenance to bee granted upon the report of the foreſaid probation, ſhall be only for the cropt, 1646.

ACT XLI.

Act anent the Committees of Warre in the ſeverall Shires.

26. *March* 1647.

THe Eſtates of Parliament now conveened in the ſixth Seſsion of the firſt Triennial Parliament, Taking in conſideration the neceſſity and expediencie of appointing and continuing of Committees of Warre in the ſeverall Shires of the Kingdom, for the furtherance of the publike Service; With the liſt given in by the ſeverall Commiſsioners of the Shires *reſpectivè*, of the perſons deſired by them to be upon the Committees of War of the ſaids Shires, or to be added thereto: The ſaids Eſtates of Parliament nominates and appoints the perſons afternamed to bee upon the Committees of Warre of the ſeverall Shires *reſpectivè* underwritten both for Burgh and Land, and to be added to the former Committees thereof *reſpectivè* as followeth, *viz.*

For the Sheriffedome of Edinburgh, The Earle of Balcleuch, the Earle of Hadingtoun, the Earle of Lawderdaill, the Earle of Lothian, the Earle of Dalhouſie, the Lord Torphichen, the Lord Cranſtoun, the Lord Balmerino, the Lord Forreſter, the Laird of Craigmiller, the Laird of Niddrie, the Laird of Libbertoun, the Laird of Lugtoun, *David Maſcullo* of Goodtries, the Laird of Collingtoun, the Laird of Woodhall

Woodhall, Master *Samuel Iohnstoun* of Scheans, *Patrick Eilies* of Southside, *George Foulls* of Ravilstoun, Sir *William Nisbet* of Deane, *Edward Edger* of Peppermylne, *Iames Eilies*, the Laird of Gogar, *Iames Wmrahame* of Currie-hill, the Laird of Haltoun, Sir *Iohn Murray* of Walkfield, Sir *Iohn Gibsone* of Alderstoun, Master *Iames Scot* of Bonytown, the Lairds of Dalmahoy elder and younger, the Lord Craighall, Sir *Iohn Smith* of Grottell, Master *Iohn Inglis* of Crawmond, the Laird of Calderhall, the Laird of Selnis, the Laird of Inglistoun, Master *Iohn Skene* of Halzards, *Iames Hammiltoun* of Brigs, Master *Lawrence Scot* of Bavelaw, the Laird of Riccardtoun Craig, *Gilbert Kirkwood* of Pilrig, the Lord Waristoun His Majesties Advocate, Sir *William Scot* of Clerkingtoun, *Lawrence Scot* younger thereof, *Iohn Sterling* portioner of Byrena, *Patrick Scot* in Sofehall, Master *Iohn Cant* of Mortoun, *Archibald Kinkade* in North-Leith, *Archibald Calderwood* Baillie of Dalkeith, *Thomas Megget* of Mastertoun, *Alexander Bothwel* of Glencorse, *William Borthuik* of Hereot, the Lord Cranstounridle, Sir *Patrick Hammiltoun* of Little Prestoun, *Patrick Hammiltoun* his Son, the Laird of Arnestoun, the Laird of Fordelcorse, *Robert Porteus* younger, Mark *Casse* of Cokpen, *Iohn Nisbet* of Poltoun, *Alexander Hay* of Nuntoun, *Iames Boyd* of Temple, the Laird of Torsons, the Laird of Craikstoun, *Iohn Mason* in Inneresk, the Laird of Smetoun, the Laird of Stanihill, *Iames Murray* of Baberton, and the two Baillies of Musselburgh; And appoints the *Quorum* to be nine.

Item, For the Sheriffdome of Fyfe, The Estates addes to the former Committee of the Shire, Generall Major Sir *Iames Lumisdene* of Innergellie, Generall Major *Robert Lumisdene* of Montquhanie, the Laird of Kincraig, the Laird of Sandfoord *Balfour*, Generall Major *Leslie* of Lathes, Master *William Beaton*, the Laird of Balfarg, the Laird of Balgarvie, the Laird of Spenserfield, and *Iohn Pitcairne* of Unestoun; And appoints the *Quorum* to be nine.

Item, For the Sheriffdome of Sterling, The Estates addes to the former Committee of that Shire, the Earle of Mar, the Lord Elphingtoun, the Master of Elphingstoun, Lieutenant Generall *Baillie*, Master *Robert Naper* of Kilcreugh, the Laird of Pardowie, *Iames Sterling* of Baldernok, Branshogle younger, Sir *William Levingstoun* of Westquarter, *Alexander Levingstoun* portioner of Hanyng, *Hary Elvingstoun* of Calderhall, *David Forrester* of Denovane, *Iohn Murray* younger of Touchlands, and *Iohn Levingstoun* of Kirkland; And appoints the *Quorum* to be nine.

Item, For the Sheriffdome of Berwick, The Estates nominates to be upon the Committee of Warre of that Shire, the Earle of Home, the Earle of Hadingtoun, the Earle of Lawderdaill, the Earle of Lauderdaill, the Lord Angus, the Lord Humbie, the Lord Toftis, the Lairds of Fedderburne elder and younger, the Laird of Langtoun, the Laird of Spottes, the Lairds of Swintoun elder and younger, the Laird of Polwart, the Laird of Haliburtoun, Sir *William Scot* of Harden, *Alexander* [illegible] of Plendergaist, *Iohn Rentoun* of Lambertoun, Sir *Harie Home* of Heirdrig,

Heirdrig, Sir *James Cokburne* of Ryiſlaw, *John Home* of Ninewells, Sir *John Home* of Crumſtane, Maſter *George Home* of Kymmerhame, *Archibald Douglas* of Lumiſdene, Sir *James Nicolſone* of Colbrandſpeth, *William Home* of Linthill, *Patrick Home* of Coldinghame-law, *Thomas Ker* of Merſingtoun, *John Ker* in Merſingtoun, the Lairds of Foulden elder and younger, *Alexander Home* of Baſſindean, *Robert Dickſon* of Buchtrig, *James Home* of Caſtellaw, the Laird of Thornidykes, Maſter *Robert Hart* of Chappell, the Laird of Blanerne, Maſter *Alexander Home* of Saint Leonards, the Laird of Edrein, the Laird of Cumledge, *Edward Trotter* of Dernchester, *George Home* of Diringtoun, Major *William Lyle*, and *Alexander Home* of Bello; And appoints the *Quorum* to be nine.

Item, For the Sheriffdome of Peibles, The Eſtates nominates to be upon the Committee of Warre of that Shire, the Earle of Traquair, the Lord Zeſter, the Lord Lintoun, the Maſter of Zeſter, the Laird of Blakbarronie, the Lairds of Dawick elder and younger, the Laird of Littlehope, *James Geddes* of Kirkurd, the Laird of Preſtongrange, the Laird of Hayſtoun, Maſter *James Lawſon* of Cairnemure, *Walter Murray*, *James Ruſſell*, the Laird of Poſſo elder, the Laird of Romanno elder, the Laird of Polmude, Maſter *Alexander Burnet*, the Laird of Glen younger, the Laird of Pirne, the Laird of Cardona, the Laird of Wrae, *John Dickſon* of Hartrie, and the Proveſt of the town of Peibles, or in his abſence any ane of the Baillies thereof; And appoints the *Quorum* to be ſeven.

Item, For the Sheriffdome of Angus or Forfar, The Eſtates added to the former Committee of Warre of this Shire, *James* Lord Carnegie, *William* Maſter of Gray, the Maſter of Loure, the Laird of Craig, the Laird of Dun, the Laird of Edzel, the Laird of Balnamone, the Laird of Balzordie, *Alexander Mauld* younger of Panmure, the Laird of Fintrie, the Laird of Ruthven, the Laird of Balgillo, Sir *James Ogilvie* of Newgrange, Maſter *John Fothringhame* Tutor of Powrie, *Thomas Fothringhame* of Denoone, the Laird of Claverhouſe, the Laird of Monorgund, the Laird of Gairne, the Laird of Potmollies, the Laird of Melgum, the Laird of Pitſcandlie, *Alexander Wedderburne* of Kingenie, *James Durhame* of Powrie, *Durhame* the Laird of Teilling, *Robert Arbuthnot* of Findowrie, Together with the whole remanent Noblemen of the Shire not already upon the former Committee, nor hereby added for the Town of Dundie, Sir *Alexander Wedderburne* of Blakeneſſe, Maſter *George Halyburtoun* for Brechine, *George Steil* for Montroſſe, *James Scot* elder for Aberbrothok, *John Ochterlony* for Forfar, *Alexander Strang*. And appoints the *Quorum* to be nine.

Item, For the Sheriffdome of Perth, The Eſtates nominates and appoints for the Committee of Warre in this Shire, the whole Noblemen within this Shire who are not under the ſuſpition of Claſſing, with the Gentlemen and others following, *viz.* The Laird of Inchmartine, the Laird of Balthyok, the Laird of Glennegies, the Laird of Frieland, the Laird of Adie, the Laird of Dumcrub younger, the Laird of Gairnelie, Sir *William Stuart*, the Laird of Feinzeis, the Laird of Balmanno

the Laird of Incheſture or any of his two ſons, the Laird of Monorgund; *Peter Hay* of Leyis, *George Hay* of Kirkland, Maſter *Francis Hay* of Balhouſie, *Hugh Mitchel* of Kincarrok, Maſter *Hugh Moncreif* of Tibbermalloch, the Laird of Colpmalindie, the Laird of Bachiltoun, *John Moncreif* of Kinmonth, *William Oliphant* of Balgonie, *William Moncreif* in Kintelloch, the Laird of Balmadie, *David Drummond* of Innermaii, the Lairds of Glenurquhie elder and younger, the Laird of Strathnird younger, the Laird of Comrie, *Thomas Meinzies* of Tormanoch, *John Blair* of Lethnitie, *Alexander Robertſon* of Downie, *William Lindeſay* of Kinloch, the Laird of Ardblair, the Laird of Bamf, the Laird of Jordanſtoun, the Laird of Crumbie, the Laird of Kethik, Maſter *David Kinloch*, *Iames Drummond* Fear of Machanie, *Lawrence Oliphant* of Gask, the Laird of Kelte, *William Blair* of Williamſtoun, *Patrick Murray* of Woodend, *Robert Murray* of Buchintie, Maſter *Patrick Murray* of Auchtertire, *Murray* younger thereof, *Alexander Murray* of Sowie, *John Campbel* brother to the umquhile the Laird of Abiturchill, the Laird of Cordoch, *Iames Crichtoun* in Aldie, *William Hutton* in Bellilisk, *Patrick Drummond* of Broich, Sir *George Preſtoun* of Valeyfield, Sir *John Erskene* of Balgown, Maſter *George Dundas* of Maner, *Hary Home* of Argedie, the Lairds of Anchile elder and younger, *Drummond* of Mylnenab, *John Buchanan* of Ardinpryor, *Coline Campbel* of Buchquſhaill, *Alexander Spittel* of Blairlogie, *Archibald Stirling* Fear of Arnoch, *Iames Ure* of Shergartoun, *Iohn Denneſtoun* of Skapo, *Robert Ar-* Proveſt of Perth, *Patrick Dundie* and *Iohn Conqueror* Baillies, *Gurley* of Culroſſe, *David Murray* of Kinkill, *Edward Toſiok* the Tutor Abircairnie, *Iames Campbel* of Clathik, *Iohn Dow* Fear of Arnnall, *David Dogge* of Ballingrew, or any ſeven of the whole as ane *Quo-*, With power to this Committee at their firſt meeting to divide eir number, and ſettle ane *Quorum* thereof, of ſick and ſo many as eythink fit for each Presbytery within the ſaid Shire, to be ane Comittee of Warre within the bounds of the Presbytery: But Ordaines e whole Committee to meet at the Head Burgh of the Shire, upon vertiſement from the Conveener, as occaſion ſhall require; And the rd Regiſter nominate and appointed Maſter *Patrick Maxwel* Sheriff-erk of Perth, to be Clerk to the foreſaid Committee of War of the eriffdome of Perth.

Item, For the Sheriffdome of Haddingtoun, The Earles of Roxgh, Williamtoun, Haddingtoun, and Lawderdail, The Lord Zei-, Angus, and Elibank, the Lord Innerpeffer, the Lord Humbie, the rds of Wauchtoun elder and younger, the Lairds of Hirdineſtoun, erweek, Preſtoun, Lamingtoun, Smetoun, Preſton-grange, einſtoun, Alderſtoun, Beill, Kilbirnie, Luſneſſe, Gosfoord, Elingſtoun, Foord, Elvingſtoun, Colſtoun, Clerkingtoun, Congle-n, Ruchlaw, Craig, Whitelaw, Nunraw, Markill, Saltcoats, Sir *illiam Dick*, *Robert Hepburne*, *Thomas Turnble* of Skaitbuſſe, Maſter *lexander Hay*, *Andro Hammiltoun*, Maſter *Andro Marjoribanks*, *Robert ingle* of Woodhead, Maſter *Iohn Pringle* his ſon fiar thereof, Captain *mas Hammiltoun*, Maſter *Cornelius Inglis*, *VVilliam Dickſon*, *George*

V Wood, and for the Burgh of Haddingtoun, *Iohn Cockburne* Provest, or *Patrick Toung*, or *Iohn Sleich* Bailies there: For the Burgh of Dumbar, *James Lawder*, or *VVilliam Purves* Bailies there: For Northberwick, *George Home* elder; And appoints any seven of the whole to be the *Quorum*.

Item, For the Sheriffdome of Dumbartan, The Laird of Fulewood, the Lairds of Ardincaple elder and younger, the Laird of Kilmahew, the Laird of Colgrane, the Laird of Feirme younger, the Lairds of Ardoch elder and younger, the Laird of Bonwar, *Iohn Mackfarlane* Fiar of Arrochan, the Lairds of Camstroddan elder and younger, the Laird of Darleith, *Iohn Dennistoun* of Dalquharn, *Iohn Sempil* of Dalmoak, *VVilliam Buntene* of Stuck, *Robert Colquhoune* of Ballanerk, *Archibald Buntene* of Kirktoun, the Laird of Balvie, *Robert Hammiltoun* of Barnes, *Iohn Colquhoune* of Kilmardonie, *VVilliam Sterling* of Law, *VValter Douglas* of Raystoun, *Iohn Sempil* Provest of Dumbartan, Master *Iames Fleeming* of Balloch, and the Laird of Garshore; And appoints the *Quorum* to be seven.

Item, For the Sheriffdome of Linlithgow, The Earle of Callender, the Lord Bargonie, the Lairds of Dundas elder and younger, the Laird of Newlistoun, Riccardtoun *Drummond*, the Laird of Dudingstoun *Dundas*, the Laird of Medhope, the Laird of Maner, the Laird of Byning, the Laird of Boghall, Master *Iohn Bruce* of Wrae, *VVilliam Bruce* of Kincavill, Master *David Hay* of Woodcockdaill, *Alexander Maxwell* of Dechmount, Master *Iames Hammiltoun* of Westport, the Laird of Levingstoun, Sir *Archibald Sterling* of Carden, Master *VVilliam Sandilanes*, Master *VValter Dundas*, *Iohn Cornwall* of Bonhard, *Alexander Hammiltoun* of Parklie, Master *Iohn Eistoun* of Cowstoun, Sir *Iohn Douglas* of Pumpherstoun, *Andrew Hammiltoun* of Redhall, *George* for the town of Lithgow, and *Iames Dawling* for Queensferrie; And appoints the *Quorum* to be seven.

Item, For the Sheriffdome of Lanerk, The Estates of Parliament addes to the former Committee of their Shire, The Lord Duke of Hammiltoun, *Iames Hammiltoun* of Ernock, *Robert Hammiltoun* younger of Silvertounhill, *Iames Hammiltoun* of Neilisland, *Patrick Hammilton* of Newtoun, *Andrew Hammiltonn* of Overtoun, *Robert Bailie* of Westoun, Master *Iames Robertoun* of Bedlaw, *William Brown* of Dalphintoun, *Claud Bailie* of Bagbie younger, *Archibald Bailie* of Hillis, *Walter Corbet* of Towcorse, Master *Iohn Hammiltaun* of Green, the Laird of Corhouse, the Laird of Covingtoun, Master *George Barbour* of Kirktoun the Lord Justice Clerk, the Laird of Caithkin, Sir *William Weir* of Stainbyres, *Alexander Hammiltoun* of Hags, *Walter Stuart* of Allantoun, *Iames Hammiltoun* of Woodhall younger, Sir *Iames Hope* Leidhill, *Iames Gilhagie*, and *David Spence* for Rutherglen; And appoints the *Quorum* to be nine.

Item, For the Sheriffdome of Innernesse, Sir *Robert Innes* of that ilk, the Laird of Findrusie, *Walter Innes* of Innerbrakie, *Robert Munro* of Obisdale, *Iohn Monro* of Lamlair, *Hector Douglas* of Muldi *Hew Fraser* of Balladrum, *William Fraser* of Culbokie, the Sheriff Cromar

Cromartie, Sir *James Fraser* of Brae, *Heugh Rosse* of Kilraok, *Duncane Forbes* of Collodine, *Heugh Fraser* of Kinneries, *Heugh Rosse* of Littletarrell, *Thomas Fraser* of Strwie, Sir *John Mackenzie* of Tarbet, the Laird of Mackintosh, and *William Baillie* of Dunean; And appoints the greatest part of the foresaid Committee to be the *Quorum*.

Item, For the Sheriffdome of Air, The Estates addes to the former Committee of Warre of that Shire, the Laird of Carsse, and *Robert Brown*; And seven to be the *Quorum*.

Item, For the Sheriffdome of Drumfreis, The Estates of Parliament addes to the former Committee of War of this Shire, *David Mackbrair* of Almagill, *John Hairstanes* of Craig, *Patrick Thomson* of *John Henderson* Baillie of Lochmaben, *William Crichtoun* Burgesse of Sanquhair, *John Johnstoune* Burgesse of Annand, *John VVelch* of Collistoun, *John Greirson* of Chapell, Major *Thomas Mackburnie*, and Master *John Corson*; And appoints seven to be the *Quorum*.

Item, For the Sheriffdome of Kincardine or Mearnes, The Estates addes to the former Committee of War of this Shire, Sir *Robert Dowglas* of Tilliquhillie, Sir *John Douglas* of Barresse, Master *William Ramsay* younger of Witstoun, Master *James Strauchan* of Fettercarne, *Robert Buchane* of Portlethem, *Robert Keith* of Craig, *VVilliam Lepar* of Hervistone, *John Strauchan* of Hanch-head, and *George Ogilvie* of Lumgair; And appoints nine to be the *Quorum*.

Item, For the Sheriffedome of Renfrew, The Estates addes to the former Committee of War of this Shire, the Laird of Blackhall younger, the Laird of Bishoptoun younger, the Laird of Duchall younger, the Laird of Roisland, the Laird of Southbar, and the Laird of Jordanhill; And seven to be the *Quorum*.

Item, For the Stuartrie of Kircudbright, The Estates addes to the former Committee of War hereof, Sir *Robert Maxwell* appearand of Orchardtoun, *John Macklellan* of Auchlean, *Patrick Mackie* of Larg, *William Maxwell* of Kirkhouse, *William Macklellan* of Barscob, and *Robert Gordoun* of Grange; And appoints seven to be the *Quorum*.

Item, For the Sheriffdoms of Caitnes and Sutherland promiscuously, The Estates nominates and appoints for the Committee of Warre within the Sheriffeship of Caitnes and Sutherland promiscuously, *Francis Sinclare* of North-field, Sir *James Sinclare* of Canuesbie, Sir *John Sinclare* of Dunbeath, *James Sinclare* of Borum, *William Sinclare* of Ratter, *John Cuninghame* of Bremhill, Cap. *William Innes*, Major *James Innes*, *William Sinclare* of Lun, *Charles Caddell* of Lynagar, *David Monro* Commissar of Caitnes, *John Murrey* of Pennyland, *Patrick Sinclare* of Ulbister, and *Alexander Mulligan* for Caitnes, the Earle of Sutherland, Sir *Alexander Sutherland* of Duffus, Sir *John Gordoun* of Embo, *Robert Gray* of Sordell, *Robert Murrey* of Spanzedale, *Alexander Gray* of Spisdale, *Alexander Gun* of Calelnan, *Robert Gray* of Ballone, *Alexander Gordoun* of Carrell, and the Provest of Dornoch for the time; And appoints nine to be the *Quorum*.

Item, For the Sheriffedome of Bamff, The Estates addes to the former Committee of War of this Shire, the Earle of Buchane, the Lord

Bamff, *John Lyon* of Muresk, *Walter Stuart* of Ryland, Master *Thomas Mortimer* of Stanilyes, Master *James Hay* of Muldavat; And seven to be the *Quorum*.

To the which Committee of Warre, the severall Shires *respective* abovementioned and *Quorums* thereof, the saids Estates of Parliament do hereby renew and grant the same Commission, power, and warrand formerly granted by the convention of Estates, in their Act of the 28. of August, 1643. And since then renewed in the severall preceding Sessions of this Parliament, to the ends and with the same liberties and provision therein specified, and conform to the tennor thereof in all points. And farther the Estates of Parliament addes to the foresaid former power of the saids Committees, this power following, *viz.* They do hereby give power to the saids severall Committees or their *Quorum*, And ordaines them to take tryall what moneyes or other publick dues hath been intrometted with, and uplifted within their severall Shires for the use of the publick, by the severall Collectors, or Sub-collectors for the publick, or by any other persons whatsoever, as for the use of the publick and under that name; and thereafter ordaines the foresaids severall Committees of Warre to make report thereof to the Committee of Estates or Parliament, that thereupon such farther course may be taken thereanent, as shall be thought fit and expedient: And also the Estates appoints these persons abovenamed, of the severall Committees abovewritten, who are Commissioners for the saids Shires to this present Session of Parliament, to be Conveeners of the foresaids Committees for the first meetings thereof, and to proceed in the samine severall Committees at the saids first meetings of the same, which first meeting, the Estates ordaines to be with all convenience, with power thereafter to the saids severall Committees or *Quorums* thereof *respective* before rehearsed, to nominate and choose their own severall Conveeners, to preceed at their meetings, as they shall finde expedient. And last the Estates of Parliament grants power to the Committee of Estates or their *Quorum*, to alter and change the foresaids Committees of Warre, or any of the persons abovenamed, nominate to bee thereupon, as the Committee of Estates or *Quorum* thereof shall think fit or finde expedient.

ACT XLII.

Act anent the election of ane President of Parliament for ilk Session of Parliament.

27. *March* 1647.

THe Estates of Parliament now presently conveened in this sixth Session of the first Trienniall Parliament, Taking to their consideration the fiftieth Act of our Soveraigne Lords second Parliament, made anent the election of the President of Parliament,

liament, Wherein it is ſtatute, that in all ſucceeding Parliaments after the taking of the Oath of Parliament by all the Members thereof, They ſhould make choiſe of the Lord Chancellour, or any other the King or his Commiſſioner and the Eſtates ſhould appoint to be Preſident of Parliament, who ſhould remaine and continue Prefident alſe well in that Parliament wherein he is choſen, as in the next Parliament ſubſequent, untill the ſaid Oath be taken, and another choſen to be Preſident in his roome, as the ſaid Act more fully proports: By the which Act it is not particularlie expreſſed, whether the Preſident of Parliament ſhall bee changed ilk Seſſion of Parliament, or ſhall continue during the running and ſeverall Seſſions of a current Parliament, untill the indiction of a new Parliament: For clearing whereof, The Eſtates upon good Cauſes and conſiderations, Statutes, Ordaines, and Declares, That in all time comming it ſhall be the firſt Act, the beginning of ilk ſeverall Seſſion of Parliament, after the taking of the Oath of Parliament, to proceed to the election and making choiſe of a Preſident for that Seſſion of Parliament, who ſhall preceed in that Seſſion of Parliament, and while the taking of the Oath and new election of another Preſident in the next Seſſion of Parliament, So that in each ſeverall Seſſion of Parliament albeit the ſamine ſhall bee current, there ſhall be one new election of a Preſident for that Seſſion thereof allanerly, and while the Oath and new election in the next in manner abovewritten.

ACT XLIII.

Act diſcharging Letters of foure formes.

27. *March* 1647.

THe Eſtates of Parliament now conveened in the ſixth Seſſion of the firſt Trienniall Parliament, Conſidering the needleſſe charges that His Majeſties Subjects are put to (who compriſes their debtors Lands) by uſing and executing of Letters and charges of four formes upon their compriſings againſt the ſuperiors of the Lands compriſed, for infefting the compriſers thereintill: The Eſtates for remeed hereof, Statutes and Ordaines, That all Letters and Charges raiſed or to be raiſed upon compriſings alreadie deduced or to be deduced, ſhall bee execute hereafter againſt the ſuperiors of the Lands and others compriſed for infefting of the ſaids compriſers thereintill, upon ane ſimple charge of Twentie ane dayes allanerly; Which the Eſtates declares to bee alſe ſufficient in all reſpects, as the former charges given upon compriſings, by vertue of the Letters of foure formes, which are now hereby diſchaged in time coming.

ACT

ACT XLIV.

Act annulling Bands taken by Officers of Casseired Regiments.

27. *March* 1647.

THe Estates of Parliament now conveened in this sixth Session of the first Trienniall Parliament, Taking to their consideration the desire of the supplication of the Burgh of Bamff, presented to them by *Gilbert Mac* Commissioner for that Town, craving that they may be fred of ane Band of six hundreth Merks, given by them to Colonell *George Forbes* of Mylnebowie, for the prices of certain Cloathes and Arms promitted by the Town to twenty two Souldiers put out by them to the said Colonell *George Forbes* in Auguſt, 1646. In respect the said Colonell and his Regiment was discharged and casseired by warrand of the Committee of Estates within few dayes after the granting of the Band, and the Souldiers returned to their own habitations, and herewith also considering that there is divers and sundry other Bands granted by divers of the good subjects of the Kingdome to Colonels and other under Officers, for payment to them of diverse summes of money, which albeit the Bands bear borrowed money, yet the true cause of the granting thereof was onely for putting out of Souldiers, and for the price of Cloathes and Armes to them, to the severall Regiments and Companies, whereof the Colonels and other under Officers, receivers of the saids Bands, were Commanders, which were all casseired within few dayes after the granting of the saids Bands casseired by warrand and order of the Committee of Estates: And the Estates of Parliament finding it unjust that the foresaid Bands of the nature and quality abovementioned, not being truely for borrowed moneyes, should stand obligator against the granters, or that they should be lyable to the payment of the summes therein contained: Therefore the Estates of Parliament for remeed hereof, findes, and declares, and hereby statutes and ordaines That the foresaid Band granted by the Town of Bamff to the said *George Forbes* of Mylnebowie, for payment to him of the sum of six hundreth Merks abovespecified, with all other Bands of that nature granted by any of the good subjects of the Kingdome, to any Colonels or under commanders of Regiments or Companies, for payment of the summes *respectivè* contained in the Bands as borrowed money, albeit the same were truely granted for putting out of Souldiers, and for Cloathes and Arms to the Souldiers of their Regiments and Companies, which were shortly after the granting of the Bands casseired and disbanded by order and warrand of the Committee of Estates, And and shall be void, null, and ineffectuall from the date hereof sensyne and in time comming: Likeas, The Estates discharges the

samine, with all execution that hath followed or can follow thereupon againſt the granters thereof: And declares them, and every ane of them free of their obligements in the foreſaid Bands, and of all payment of the ſummes of money therein mentioned for ever.

ACT XLV.

Act Salvo jure cujuſlibet.

27. *March* 1647.

THe Eſtates of Parliament now conveened in the ſixth Seſſion of the firſt Trienniall Parliament, Conſidering that in this preſent Seſſion of Parliament, there are ſome particular Acts, and Acts of Ratification made in favours of particular Perſons, which may be prejudiciall to the parties having intereſt, and not heard, albeit the meaning of the Eſtates bee at this time as it was ever in all preceding Parliaments, that by no particular Act, or Act of Ratification granted to any particular perſon, any other parties ſhould be hurt or prejudged of their lawfull rights and defences competent to them of the Law; For remeed whereof, It is ſtatute and ordained, That no Ratification, nor other particular Act whatſoever, made in favours of any particular perſon in this preſent Seſſion of Parliament, bee prejudiciall to any other parties rights or defences, competent to them of the Law, but that the ſaids particular Acts, and Acts of Ratification made in favours of particular parties be alwayes underſtood *ſalvo jure cujuſlibet.*

ACT XLVI.

Act appointing the firſt meeting of the ſecond Trienniall Parliament to be upon the firſt Thurſday of March 1648.

27. *March* 1647.

THe Eſtates of Parliament now conveened in this ſixth Seſſion of the firſt Trienniall Parliament: Taking in conſideration that by the Act of Parliament made in June 1640 anent Trienniall Parliaments: It is thereby ordained, that before the cloſure of every Parliament, the day of the next ſubſequent Parliament ſhall be condiſcended upon; And herewith alſo conſidering that this firſt Trienniall Parliament, is now this day in the ſixth Seſſion thereof by the

the assistance of God Almighty brought to ane happy conclusion: Therefore the Estates of Parliament, do hereby appoint and ordain the first Thursday of March next to come, in *Anno* 1648. To be the day of the first meeeting and conveening of the second Trienniall Parliament: At the which day, ordaines all the members of Parliament to meet and conveen at Edinburgh, without any other or farther warning and premonition to be made for that effect, but only the publication of this present Act with the remanent Acts of this Session of Parliament, which the Estates declares to be ane sufficient warning and premonition to the effect foresaid: And ordaines the whole Acts, Statutes, and Ordinances, made and concluded in this first Trienniall Parliament, in the severall Sessions thereof, to stand and have the strength and force of Acts of Parliament, conform to the tennors thereof *respectivè*: And the Estates grants power to the Committee of Estates, in the mean time betwixt and the day abovementioned upon emergents as they shall finde necessitie, to conveen the Parliament sooner, at any time or place betwixt and the day abovespecified as they shall finde expedient, the hail Committee, at the least the major part thereof, being warned upon fifteen dayes to the meeting, for calling of the said Parliament: And sicklike, The Estates ordaines the Lords of Session, and Commission for plantation of Kirks, to conveen and sit down in Session and Commission *respectivè* for administration of justice the first day of June next to come, and to continue at the ordinar times appointed for their sitting at Edinburgh, while they be discharged by Parliament, Committee of Parliament, or secret Counsell.

Collected, Visied, and Extracted forth of the Bookes and Register of the Acts of Parliament by me Alexander Gibsone *of Durie Knight, Clerk of his Majesties Councell, Register, and Rolls, Under my Signe and Subscription Manuall.*

Alex. Gibsone Cler. Registri.

THE

THE TABLE OF THE PRINTED

Acts, done in the sixth Sesion of the first Trienniall Parliament of our Soveraigne Lord CHARLES, Beginning the third of November 1646. and ending the twenty seventh of March 1647.

1.	ACt anent Quarterings and payment of Officers and Souldiers in their Quarterings.	1	19. Novem. 1646.
2.	Act of approbation to the Committee of Estates, anent the taking off of the Rebels.	5	27. Novem.
3	Act anent Liferenters that they pay publike Dues, and bear publike Burdens.	ibid.	10. Decem.
4	Act anent allowing of Quarters.	7	1. January. 1647.
5	Act anent Recording of Losses.	ibid.	2. January.
6	Act anent these that are, or shall be restored against their Forefaltours.	8	12. Januar.
7	Ratification of the Commission for changing Waird Haldings holden of the Kings Majesty.	9	14. Januar.
8	Act anent the payment of the duty for the Light of the Maye.	10	
9	Ratification of the Commission for changing of the Waird Haldings holden of the Prince his Highnesse.	11	16. Januar.
10	Declaration of the Kingdom of Scotland, concerning the Kings Majesties Person.	12	
11	Act anent fining of appeirand Heirs.	14	26. Januar.
12	Act anent these who hes gotten Passes and assurances, and hes since joyned with the Rebels	15	
13	Act anent the modelling of the Forces kept up for the Service of the Kingdome.	16	29. Januar.
14	Act for advancing ane Moneths maintenance for disbanding the Army.	20	10. Febru.
15	Answer of the Parliament to the Remonstrance of the Church.	23	11. Febru.
16	Ratification of the Act anent the distribution of the 5000 l. Sterling, to the Lame-Souldiers, and to the Widows and Orphans of the deceast Souldiers.	25	17. Febru.
17	Act anent the nine Moneths maintenance for the Army, and Retention of ane and a half of the Hundred for the Anualrents.	27	20. Febru.
18	Act anent the establishment and pay of the Armie.	32	25. Febru.
19	Act against Runawayes, and their Resetters.	37	
20	Act anent the inbringing of the first two Moneths Maintenance.	38	27. Febru.
21	Act anent these excepted from getting Pardon or Conditions.	39	4. March.
22	Act and Commission anent the Excise.	40	10. March.
23	Act suspending the execution of the Bands given by the Commissioners for the 5000 l. Sterling.	48	
24	Act renuing the Commission to the Commissioners for England.	49	11. March.
25	Act anent the taking of the oathes of Delinquents, for tryall of their Delinquencie.	50	15. March.
26	Act against Runawayes and their Resetters.	ibid.	
27	Act against excommunicate Persons.	51	18. March.

28 *Act discharging the observation of Superstitious dayes.* 53

20. March. 29 *Act and Commission to the Committee of Estates.* ibid.

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Act that no reparation of losses be given to these who hes been complyers with the Rebels. 58

24. March. 32 *Act renuing the Commission for plantation of Kirks, and valuation of Teinds.* ibid.

33 *Act anent the vassals of Kirk-lands.* 60

34 *Act that none guilty of the Crimes of the first Classe bee admitted on the Committees of Warre of the Shires.* 62

25. March. 35 *Act renewing the Commission for the Exchequer.* 63

26. March. 36 *Act anent Quarterings.* ibid.

37 *Act for clearing former Acts concerning quarterings.* 64

38 *Act annulling Bands given to* James Grahame, Alexander Mackdonald, *and their Adherents.* 65

39 *Act concerning the education of children under Popish Parents or Tutors.* 66

40 *Act anent the trying of burnt and wasted Lands.* 67

41 *Act anent the Committees of War of the severall Shires.* 68

27. March. 42 *Act anent the election of ane President of Parliament for ilk Session of Parliament.* 74

43 *Act discharing Letters of foure formes.* 75

44 *Act annulling Bands taken by Officers of Casseired Regiments.* 76

45 *Act* Salvo jure cujuslibet. 77

46 *Act appointing the first meeting of the second Trienniall Parliament to be upon the first Thursday of* March 1648. ibid.

THE

THE TABLE OF THE UNprinted Acts and Ratifications, done in the ſixth Seſſion of the firſt Trienniall Parliament, Beginning the third of November 1646. and ending the 27. of March 1647.



Act in favours of the Lord Wariſtoun. 7. *Novemb.* 1646.

Act in favours of the Lord Regiſter, Lea, Toſts, and Laird of Bogie.

Act of approbation to the Marques of Argyle, and remanent Commiſſioners at London.

Act in favours of the Lairds of Lugtoun, Dairſie, and others. 12. *Novem.*

Prorogation of the Committees of War in the Shires, during the ſitting of the Parliament. 14. *Novem.*

Act in favours of the Pariſhioners of Muckart and Dolor. 20. *Novem.*

Act for relief of the Shires of Aberdeene and Bamff. 24. *Novem.*

Commiſſion for Proceſſe, Money, and Exciſe. 28. *Novem.*

Act in favours of the Earle of Findlatar.

Ordinance concerning *James Bell* and *Coline Campbell*. 1. *Decemb.*

Act in favours of Lieutenant Generall *David Leſly*. 2. *Decemb.*

Proteſtation Lord Spynie. 3. *Decemb.*

Act in favours of Maſter *James Hay*. 4. *Decemb.*

Act *James Maxwell* of Spinkell. 8. *Decemb.*

Act of approbation and exoneration to the Lord Humbie. 9. *Decemb.*

Act anent Officers, Troupers, and Souldiers of new Levies.

Ratification in favours of the Earle of Crawfoord-*Lindſey*. 10. *Decem.*

Act *Alexander Maxwell* of Conhaith.

Act anent the Shipping in the weſt coaſt. 15. *Decem.*

Inſtructions to the Commiſſioners that went to Newcaſtle. 24. *Decem.*

Inſtructions to the Commiſſioners at London.

Act anent the *Quorum* of the Commiſsioners at London.

Warrand of Parliament to the Lord Generall. 25. *Decem.*

Act in favours of Maſter *Robert Gordoun* of Straloch and his Son.

Act in favours of the Earle of Traquair. 26. *Decem.*

Inſtructions to the Commiſsioners at Newcaſtle.

Act anent the election of the Magiſtrates of Glaſgow.

Act in favours of the Lord Balcarras. 29. *Decem.*

Act *Hector Macklene*. 30. *Decem.*

Act Lord Balcarras. 31. *Decem.*

Commmiſsion for theſe that goes to Newcaſtle.

Declaration of Parliament in favours of the Lord Humbie.

1. *January.* 1647. Act in favours of the Marques of Argyle and remanent Heritors of that Shire.
Act in favours of the Marques of Argyle, Doctor *Sharp*, Sir *William Dick*, and others.
Act Lady Gairlees.
Warrand to the Lord Humbie for telling and receiving of 200000l. Sterling.
Ordinance of Parliament concerning the Twon of Edinburghs Commissioners.
Act in favours of the Lord Humbie for his super-expences.
Act in favours of *John Johnstoun*.
Commission Lord Lovat.
Act in favours of the Earle of Louthian.
Act of approbation to Major Generall *Midletoun*.
2. *January.* Act in favours of the Earle of Annandale.
Act in favours of *Kenneth Mackenzie* and others.
Act in favours of these to whom Generall Major *Middletoun* hath given passes.
5. *January.* Act concerning fines and borrowed moneys.
Act in favours of the Town of Innernes.
Act in favours of Colonell *Lodovick Lesly*.
Act Earle of Cassels and Balmerino.
8. *January.* Act *Martine Mackbeane*.
Act Earle of Callendar.
14. *Januar.* Act in favours of Lieutenant Generall *King*, rescinding his forefaltour.
Ratification to the Earle of Glencarne, of his gift to be Justice-Generall.
15. *Januar.* Act Colonell *Walter Scot*.
Commission for tryall of *Elizabeth Gordoun*.
Act Lieutenant Generall *Bailie*.
16. *Januar.* Demands of the Kingdome of Scotland to the Kingdom of England.
19. *Januar.* Act Earle of Crawfoord *Lindsey*.
Act Major Generall *Midletoun*.
Act *Francis Chivers*.
21. *Januar.* Act Earle of Findlater.
Act Town of Breechin.
22. *Januar.* Act Lord Drummond.
Act in favours of *George Bailie* of Jerveswood.
23. *Ianuar.* Ordinance anent the answering of the Kings Majesties letter, direct to the Earle of Crawfoord Thesaurer.
25. *Ianuar.* Roll of these persons to whom Major Generall *Middletoun* hes granted Passes and Assurances.
29. *Ianuar.* Commission to the Earle of Leaven to be Lord General.
Instructions to the Lord Generall.
30. *Ianuar.* Warrand for trying of Duke *Hammiltoun* his losses.
Warrand for trying of the losses of the Sheriffdom of Lanerk.
Warrand to the Lord Register for receiving of Cautioners from the Officers of the Armie.

Act

Act *Hector Banandine* of Kannes.
Act Marques of *Dowglas*. 3. *Februar.*
Act Lord Seatoun and Laird of Roſſaith.
Act Sir *Iohn Seatoun.*
Act Laird of Blindlie.
Act Laird of Cromlix.
Act in favours of the Earle of Niddiſdale, reſtoring him againſt his Fathers Forfaltour.
Poteſtation Earle of Balcleuch there-againſt.
Act for the Officers of the Earle of Caſſels Regiment. 4. *Februar.*
Act Lord Herreis Reſcinding his Foreſaltour.
Act Lieutenant Generall *David Leſlie.* 5. *Februar.*
Act anent the 500 l. Sterling advanced by the Town of Edinburgh.
Act anent the disbanding of the Regiments of Horſe.
Act anent the disbanding of the Regiments of Foot.
Order of Parliament for making up of the Troups and Foot Regiments of the new modelled Forces.
Act anent the Election of the Magiſtrates of Aberdene. 6. *Februar.*
Act and Ratification Maſter *Robert Dalgleiſh.* 9. *Februar.*
Act Vicount of Airdie. 11. *Febru.*
Two Acts anent the marching and proviſion of the Earle of Louthian and Lord Sinclars Regiments.
Act Earle of Leaven contra Lord Naper.
Act and Ratification in favours of Sir *Iohn Gibſone* of Alderſtoun Knight. 12. *Febru.*
Act for tranſporting of the Kirk of Dunſcore. 13. *Febru.*
Act appointing Sir *Iohn VVeemes* of Bogie to bee Generall Commiſſar. 16. *Febru.*
Proteſtation Earle of Calendar. 19. *Febru.*
Act in favours of Lieutenant Generall *King* Lord Ythan.
Ratification to Maſter *Iohn Cant.* 20. *Febru.*
Warrand to the Town of Edinburgh anent Captain *Denneſtoun.* 23. *Febru.*
Act Laird of Libbertoun.
Act Laird of Fintrie.
Act Laird of Arkinglas.
Act Earle of Eglingtoun. 24. *Febru.*
Act and Proteſtation Earle of Erroll and Town of Edinburgh, anent deliverie of Captain *Denneſtoun* to the Lord Generall. 25. *Febru.*
Act Laird of Ardkinglas Regiment. 26. *Febru.*
Act and Proteſtation Earle of Erroll and Town of Edinburgh concer- *Iohn Simſon.*
Act Lairds of Glenurquhie elder and younger. 2. *March.*
Act Lord Humbie and the General Commiſſar.
Act Lieutenant Colonell *William Hammiltoun.* 3. *March.*
Act in favours of the Earle of Mar, L. of Polmaiis and others.
Act *Allan Dunlap* anent 7000 bolls Meal.
Act in favours of the Scots captives in Argiers.
Act for relief of theſe, bound to Sir *William Dick* for 200000 Merks.

Act

Act L. of Lawers.
Act in favours of the Bairnes of the Laird of Haddo, Reſtoring them again their Fathers Forefaultout.
4. *March.* Act for putting ſome priſoners to libertie.
Act Town of Dumbar.
5. *March.* Act Town of Innernes.
Warrand for ane Troup to the Generall Commiſſar.
Act in favours of the Genenerall Commiſſar.
Act Town of Dumbartan.
Act for deliverie of the 5000 l. Sterling to the Generall Commiſſ
Act anent Garriſonning of Houſes.
Act anent the train of Artillerie.
Act L. Ballindalloch.
Act, relict and Bairnes of umquhile *Alexander Pearſon.*
6. *March.* Inſtructions to Lieutenant Generall *David Leſlie.*
Act Sir *Iohn Brown* and others.
Act Lord Balcarras.
Act Sheriffdome of Wigtoun.
8. *March.* Act for eſtabliſhment of the Train of Artillerie.
Order anent directing of Letters from the Parliament to their Co
miſſioners.
9. *March.* Commiſſion Lieutenant Generall *David Leſlie.*
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Commiſſion to the Generall Commiſſar.
10. *March.* Act anent the Train of Artillerie.
12. *March.* Act *Thomas Cunninghame.*
Act L. Allardes.
Act E. of Lauderdaill.
Act directing the Kirk of Glencroce.
Act in favours of the Lord Regiſter.
Act Lord Elcho.
Act erecting the new Kirk of Glenluce.
Act erecting the Weſt Kirk of Calder.
Act *George Iameſon.*
Act Lord Balcarras, diſponing to him the Lands and Eſta
Gorthie.
Act for tranſporting the Kirks of Logiemontros and Peart.
13. *March.* Act *Iohn* and *Ieane Bonars.*
Act Towne of Dornoch.
Ratification Earle Marſhall.
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miſſioners.
Ratification L. of Langtoun and *Robert Cunninghame.*
Ratification Earle of Wigtown
Act for revaluation of the Shire of Berwick.
Act Captaine *William Elphingſtoun* to be Generall adjutant
Armie.
Act for rectifying the valuation of the Shire of Innernes.

Act anent Ammunition and proviſion to the Army.
Act Laird of Glaſwall. 16. *March.*
Act *Francis Forbes.*
Act L. Grangehill.
Two Acts L. of Kilraok.
Act Earle of Tullibardine.
Act L. of Duffus.
Act Earle of Dumfermling and Counteſſe thereof.
Act L. of Letham.
Act Town of Culane.
Act *George Lockhart* and M. *Archibald Fleeming.*
Act L. Ballindalloch.
Act Sir *James Fraſer.*
Act Maſter *Robert Farquhair.* 17. *March.*
Act of approbation and exoneration to the Lord Humbie.
Reference Lord Humbie.
Act Earle of Buchane.
Act in favours of the Earle of Airlie, reſcinding his forefaultour.
Act Maſter of Bamff.
Act Earle of Hartfell.
Act Lieutenant Colonell *William Oiſburne.*
Act *James Maxwell* of Innerweik.
Act L. of Balnamoone.
Act L. Cragivar to be Sheriff of Aberdeen.
Act Lieutenant Colonell *William Dick.*
Act Earle of Queensberrie.
Act L. of Harden younger to be Sheriff of Selkirk.
Act Earle Marſhall.
Act and diſcharge Earles of Erroll and Kinnowle.
Ordinance anent the date and extracting of Generall *Ruthvens* Act reſtoration againſt his forfaultour.
Act Maſter *James Robertoune.* 18. *March.*
Act Lord *Fraſer* contra L. of Drum.
Act Generall of Artillerie.
Act Earle of Erroll.
Anſwers of Parliament to the overtures given in to Parliament by Commiſſioners of the Generall Aſſemblie.
Inſtructions from the Parliament to their Commiſſioners at London. 19. *March.*
Qualifications of the power granted by the Parliament anent the 20. *March.*
joining of ſuch as are in the Rebellion, and anent ſuch as are not to give conditions.
Act in favours of Generall *Ruthven*, reſtoring him againſt his forefaultour.
Act in favours of the Lord Wariſtoun. 22. *March.*
Act Generall Major *Monro*, and L. of Kinhilt.
Act in favours of the Earle of Mortoun, Lord Burghlie, and others.
Act in favours of Sir *William Dick.*
Warrand for fraughting of Ships and Barkes for carying of Ammunition.

Act

Act in favours of the Duke of *Hammiltoun.*

Act anent the furniſhing and ſending of Ammunition to the Armie and Pay of the traine of Artillerie, and incident charges thereof.

23. *March.* Act Lord Humbie upon the production of the articles of Treaty betwixt the Kingdomes of Scotland and England.

Proteſtation Lord Balmerino and other Lords of erections against the Petition given in by the Vaſſals of Kirk-lands.

Reference concerning the Earle of Dumfermlings Rights of the Abbacy of Dumfermling, with the defences and anſwers given in, for and againſt the ſame, to the Judge ordinar.

24. *March.* Act of approbation in favours of the Earle of Leaven Lord General.

Act for out-reik of two Ships and a Pinace to guard the coaſt.

Proteſtation Marques of Argyle for the Earle of Louthian.

Act in favours of Generall Major *Midletoune*, Maſter *Robert Fa-quhair*, and ſome others.

Act in favours of the Lord Balcarras, and Sir *John Brown.*

Declaration in favours of the Generall Commiſſar.

Proteſtation for *Edward Bruce* of Carnock.

25. *March.* Act anent the Sheriffe of Dumbartan.

Reference anent the Sheriffe of Eaſt-Louthian.

Ratification *George Lockhart.*

Act L. Fulwood to bee Sheriffe principall of Dumbartan while Mi-chaelmaſſe next.

26. *March.* Act Marqueſſe of Argyle and Earle of Southesk.

Act Creditors and Cautioners of the late Earle of Montroſe.

Act for preſſing of Ships and Horſes, for carrying of Ammunition and proviſion to the Armie.

Act Earle of Lauderdaill.

Act *James Gibſone.*

Act *Elizabeth Cochran.*

Act Maſter *John Hay.*

Act Town of Sterling.

Act *Francis Brodie.*

Act L. Cragivar.

Act for a contribution to repair the Bridge of Bothwell.

Act in favours of Sir *James Hope*, for mending the hie-wayes.

Act *Duncane* and *John Forbeſes.*

Act L. *Innes.*

Act for revaluation of Aberdeene Shire.

Act Lord *Naper.*

Act L. Achinbreck.

Act Maſter *Patrick Pitcarne*, anent the Commiſſariot of Dunkell.

Act L. Lawers.

Act Towns of Aberdene, Innernes, Elgine, Nairne, Culane, Banff, Brechine, Forres, and Dornoch.

Act L. Weyme.

Act *Martine Menzeis* and *Iames Campbell.*

Act *Coline Campbell* of Aberurchill.

Act *Durhame* of Grange and others.
Act Lord Humbie anent his super-expences.
Act Lord Lovat and his friends.
Act M. *George Sharpe* Minister for his Stipend.
Act *John Sutherland*.
Act Earle of Murray.
Act L. Panmure.
Act Parochiners of Kirriemure and Tannadyce.
Act in favours of *John Simsone*.
Act Generall Major *Robert Lumisdene*.
Act in favours of the silver and gold Lace weavers and workers.
Reference in favours of the keepers of the Magazines.
Act Earle of Southesk, and Lord Lowre.
Act in favours of the free Royall Burrowes anent their losses.
Act *Will. Home* rescinding his forfaulture.
Act *James Stuart* and *James Hammiltoun*.
Act Earle of Eglintoun.
Act Vicount of Dudhope.
Act Earle of Crawfurd-Lindesay.
Act town of Brechine for some Arms.
Act *Alexander Campbel* of Pennymore.
Act in favours of the creditors of Westnisbet.
Act *John Hay* of Knokcawdie.
Act M. *John Gellie* Minister.
Act Earle of Sutherland.
Act town of Dundie.
Act *William Baillie*.
Act *John Robertsone*.
Act L. Duffus and *James Sutherland*.
Act *Thomas* and *William Dumbarris*.
Act in favours of *Robert White* and others *contra* Sir *David* Res.
Act anent Commonties.
Act of approbation Sir *Iames Lumisdene*.
Act of approbation Sir *Iames Ramsay*.
Act of approbation Lieut. Generall *Bailie*.
Act *Bessie Gevane*.
Act Earle of Findlater.
Act Vicount of Arbuthnot.
Act L. Fedrett.
Act Earle of Carnwath.
Act *Robert Dumbar* of Burgie.
Act Lord Cowper.
Act *Iames Johnstoun*.
Act *Alexander Chisholme*.
Act in favours of the Heritours of the nether part of the Parochin of Dowell.
Three References concerning the Town of *Edinburgh*, and in their favours.

Act in favours of the Marqueſſe of Argyle, and L. of Calder.
Proteſtations againſt the ſame.
27. March. Act L. Innerquharitie.
Act L. Capringtoun.
Act L. Grangehill.
Act Colonell *Home*.
Act Sir *Iames Fraſer*, and *Iohn* Hay.
Act Lieutenant Generall *David Leſlie*, and Major *Middletoun*.
Act in favours of the Laird and Lady Edgell.
Act M. *Roger Mowat*.
Act Town of Aberdene.
Act Town of Banff.
Act Earle of Mortoun, and Town of Edinburgh.
Act Earle Kinghorn and his Tennants.
Act Lord Cardroſſe.
Act Sir *Walter* Murray.
Act for rectifying of the valuations of the Sheriffdome of Peble.
Act *Iohn Campbel* of Domdorne.
Act Lord Elibank.
Reference Earle Eglintoun.
Act Lord Balmayne.
Act Creditours of *Iames Grahame* anent the wood of Kincardine.
Act M. *William Davidſon*.
Act anent the Laird of Lawers Regiment.
Act Earle of Dumfermling.
Act Marqueſſe of Argyle ratifying his former Acts.
Act Lord Fraſer, *contra* L. Drum.
Act M. *William Dumbar*.
Act *Iames* Hay of Murifauld.
Act Earle of Sutherland.
Proteſtation Earle of Sutherland anent his place and precedence.
Act *Iacob Burret*.
Act Earle of Traquair.
Act L. Clakmannan.
Act Duke of Lennox, Proceſtation Earle of Crawfurd-Lindeſay the contrair.
Act *Mart. Black*.
Act Lord Zeſter.
Act M. *Iohn Cheiſlie*.
Act Parochiners of Muckart and Dolor.
Act Sir *Robert Douglas*.
Act of approbation to the Committee of Eſtates.
Act of approbation to the Committees of Proceſſe and Moneys.
Act Generall of Artillerie.
Act anent the Committee of Proceſſe and Moneyes for the North.
Warrand to the Cautioners of *Iames Grahame* for citation of his Creditours to produce their Bonds.
Ratification in favours of the Earle of Crawfurd-Lindeſay of Ri

Rights of the Baronie of Auchterſtruther.
Ratification L. Innerpeffer of his Infeftments of the Baronie of Saltoun.
Ratification in favours of the Earle of Callender of his Right of the Baronie of Donypace and others.
Ratification in favours of the Earle of Hadingtoun.
Commiſſion to *Thomas Forbes* of Watertoun.
Ratification in favours of the Laird of Brids.
Ratification in favours of Sir *Patrick Hammiltoun* of Little Preſtoun.
Ratification in favours of Sir *James Lumeſden* of Innergrellie.
Ratification in favours of *James Blair* younger, Merchant Burges of Irwing.
Ratification in favours of the L. Brodie of his Infeftment of the lands of Brodie and others.
Ratification in favours of Maſter *William Sempil*, Proteſtation there-againſt.
Ratification in favours of the Earle of Callender of the office of Sheriff principall of Sterling ſhire.
Ratification in favours of Sir *Michael Balfoure* of Deanmylne.
Ratification in favours of the Earle of Dumfermling.
Ratification in favours of *James Mowat* Writer.
Ratification in favours of Sir *Adam Hepburne* of Humbie, and *Thomas Hepburne* his ſonne of their Infeftment of the lands of Humbie and Overhawden, with a diſſolution thereof from the Abbacie of Kelſo.
Ratification in favours of the Lord Wariſton his Majeſties Advocate.
Ratification in favours of the Earle of Crawfurd-Lindeſay of the Right granted by the King to Maſter *Levingſtoun* of the Biſhopricks, and by Maſter *Levingſtoun* to the Earle.
Ratification in favours of *Robert Hammiltoun*.
Ratification in favours of the Earle of Murray.
Ratification in favours of the Laird of Lugtoun.
Ratification in favours of the L. of Cragivar.
Ratification in favours of *Alexander Brodie* of Letham.
Ratification in favours of the Laird of Birkinboig.
Ratification in favours of the Town of Kinghorne.
Ratification in favours of Sir *Will. Cochran* of Cowdoun.
Ratification in favours of M. *Robert Farqhuer*.
Two Ratifications in favours of *William Law*.
Ratification in favours of Captain *Thomas Lindeſay*, and *John Lindeſay* his ſon.
Ratification in favours of the Earle of Lanerk.
Ratification in favours of Maſter *Robert Mayne*.
Ratification in favours of the Laird of Langtoun of his Infeftments of the Baronie of Langtoun.
Ratification of the Gift granted by the Kings Majeſtie in favours of umquhile Sir *Thomas Hope* of 1080 l. ſterling, as Commiſſioner to the Generall Aſſembly.
Ratification in favours of Sir *John Gibſone* of Alderſtoun of ane ſignator of Taxt Waird.

Ratifi-

Ratification in favours of Master *Thomas Henderson.*

Ratification in favours of the Laird of Brodie of his Decreet of Committee of Estates.

Ratification in favours of the Lord Lea of his Rights and ments of the Baronie of Lochrenie.

Ratification in favours of Sir *Archibald Primerose* of his Office gift of Pension.

Ratification in favours of the Earle of Glencarne,

Commission for visiting the Universitie of *Aberdene.*

FINIS.

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